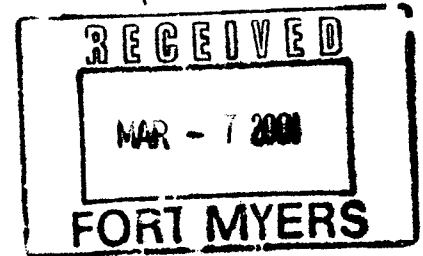


LAST DATE FOR GOVERNING BOARD ACTION:
MARCH 15, 2001



ENVIRONMENTAL RESOURCE PERMIT STAFF REVIEW SUMMARY

H. Tamassia



I. ADMINISTRATIVE

APPLICATION NUMBER: 000822-1

PERMIT NUMBER: 36-03663-P

PROJECT NAME: CORKSCREW MINING IPD

LOCATION: LEE COUNTY, S22,23/T46S/R27E

APPLICANT'S NAME: CORKSCREW MINING VENTURES LTD

OWNER'S NAME AND ADDRESS: CORKSCREW MINING VENTURES LTD
4099 TAMIAMI TRAIL SUITE 305
NAPLES, FL 33940

ENGINEER: LAND INVESTMENT SERVICES INC

II. PROJECT DESCRIPTION

PROJECT AREA: 602.09 acres DRAINAGE AREA: 602.09 acres

DISTRICT DRAINAGE BASIN: IMPERIAL RIVER

RECEIVING BODY: CORKSCREW SWAMP VIA EXIST. AGR. DITCHES

CLASSIFICATION: CLASS III

PURPOSE:

This application requests a modification of Environmental Resource Permit 36-03663-P to expand the original area of the permit to 602.09 acres of contiguous property, by the addition of properties immediately adjacent to the east side. The project discharges to the Corkscrew Swamp via roadside and agricultural ditches.

BACKGROUND:

The project was part of Permit Number 36-00129-S originally issued in May 1979, modified several times subsequently, and removed from that permit by letter modification.

Permit Number 36-03663-P was issued in September, 1999 for an excavation operation with appurtenant facilities, including an office, machine shop, scale house, parking, and internal roadway. A pretreatment pond was authorized to provide 1/2" of water quality storage for the administrative area. The excavation area lake provides the remaining required water quality volume and attenuation of the 25 year, 3 day storm event with zero discharge.

EXISTING FACILITIES:

The project is located on the north side of Corkscrew Road, 2 miles west of the Lee County Line. A location map is attached as Exhibit 1. The site was part of a large citrus grove operation. Over time, the citrus groves were sold and, as a result of the separation of grove operations, separate systems of ditches and dikes were created to isolate the several groves under individual ownerships.

Perimeter ditches around the project site isolate it from most of the surrounding groves. The project contains an existing flowway, which is comprised of wetlands and ditches, for drainage from lands north of the site. These flows pass through the site from north to south to the roadside swale at Corkscrew Road. From the roadside swale flows are transported to the Corkscrew Swamp.

Under the September, 1999 permit authorization, construction began for a site entrance and administration area. Shallow dry retention areas were created around the perimeter of the administration area for pretreatment. A portion of the original lake, approximately 1 acre, has been constructed.

The site is located within density reduction/groundwater resource (DR/GR) zoning for Lee County. Restrictions within this zoning category include a maximum excavation depth of 50', or the confining layer, whichever occurs first, and no dewatering for the excavation activity. Submitted subsurface information demonstrated no confining layer within the proposed excavation depth.

PROPOSED FACILITIES:

The application proposes the excavation of two lakes with a combined area of 287.18 acres. The lakes will be excavated in two phases. Phase 1 has four distinct areas for surface water management purposes.

Construction has proceeded at the Administration Area under the September, 1999 permit authorization. The surface water management system for this area will be modified to a system utilizing dry detention and wet detention, independent of the other areas in Phase 1. Dry detention for pretreatment is provided in the amount of 0.18 ac.ft. This meets the requirement for 1/2" of

runoff from the area of the administration building, scale house, parking areas and roadways. The dry detention area is controlled by a type C inlet with a 3" diameter orifice set at invert elevation 28.0' NGVD, and with a grate elevation of 29.25' NGVD. Discharge is through an 18" diameter RCP to the existing lake. The existing lake will have a type C inlet with a 3" diameter orifice set at invert elevation 28.0' NGVD and a grate elevation of 30.0' NGVD. The lake meets the water quality requirements for 1" of runoff over the area, and attenuation of the 25 year, 3 day storm event. The lake control structure discharges through a 24" diameter RCP to an existing agricultural ditch, and then off-site to the Corkscrew Road swale.

The Horticultural Incinerator Area will be used for disposal of trees as the lakes are excavated. The incinerator area will be constructed on 3.4 acres on the east side of the project. Pretreatment of the first 1/2" of runoff is provided in dry pretreatment areas with a capacity of 0.17 ac.ft. The dry pretreatment areas are controlled by two type C inlets, each with a 3" diameter orifice set at invert elevation 28.0' NGVD, and a grate elevation of 29.6' NGVD. The pretreatment areas discharge through an 18" RCP to a wet detention area which meets the requirements for water quality based on 1" of runoff from the project area, and attenuation of the 25 year, 3 day storm event. The wet detention area is controlled by a type C inlet with a 3" diameter orifice set at invert elevation 28.0' NGVD, and a grate elevation of 30.4' NGVD. The control structure discharges through a 24" diameter RCP to an existing agricultural ditch and then off-site to the Corkscrew Road Swale.

Two lakes will be excavated to a maximum depth of 50'. The East Lake and the West Lake will be separated by a north-south flowway. An existing agricultural ditch forms the flowway, which conveys off site flows from the areas to the north. The applicant has agreed to maintain the north-south flowway throughout all phases of this permit. The existing citrus operation will continue to be active in areas not needed by the mining operation. As the mining operation expands, the grove operation will be removed and the debris disposed of at the incinerator facility. Eventually, the citrus operation will cease when the mine expands to its final phase.

The two lakes of Phase 1, East and West, will be 66.5 acres and 81.15 acres in surface area at control elevation, respectively. Since the excavation of these lakes is proposed over a period of approximately 10 years, the applicant has designed the surface water management system to contain two back-to-back 25 year, 3 day storm events with zero discharge. The berms around each of the two areas will be constructed to 30.0' NGVD, to meet the design stage of the second storm event. This design is in lieu of requesting a discharge, and performing water quality monitoring.

Phase 2 involves significant expansion of each of the lakes. The East and West Lakes will be excavated to total surface areas of 109.09 acres and 178.09 acres, respectively. Perimeter berms will be extended to contain the lake basins at a zero discharge condition. The central flowway, formed by the existing agricultural ditch south of Wetland 4, between the East and West lakes, will be maintained to pass flows from north to south. Phase 2 may

occur over a period of ten years. During Phase 2, the Administration Area Lake will be combined into the on-site retention system of the West Lake, and the independent discharge system for the Administration Area will be discontinued.

A conceptual Phase 3 has been considered that will connect the East and West Lakes into a single lake with an area, at control elevation, of about 298.8 acres. The connection is a result of excavating the 11.63 acre, north-south strip that separates the east and west excavations. The connection replaces the ditch that is part of the north-south flowway, and incorporates the former flowway into the large mining lake. It is anticipated that implementation of the Phase 3 lake will result in greater attenuation and water quality for the watershed discharging through the project site. Implementation of Phase 3 is subject to conditions related to the properties to the north, or upstream areas. The events leading to the conditions, and a further discussion of the conditions, follows.

The areas immediately to the north of the project were permitted in Application Number 960404-3, Permit Modification Number 36-00167-S, Third Project Ltd. (a.k.a. Wildcat Farms). An agreement, concluded amongst the several adjoining property owners circa 1985, provides that a number of control structures on the Corkscrew Mining property are still under the control of Third Project Ltd. Consequently, before Corkscrew Mining can implement Phase 3, and before the District can approve a modification of this permit for Phase 3, there must be mutual agreement amongst the affected parties. The agreement must include the final disposition of the existing control structures, and establishment of control elevations. Future Phase 3, as outlined in the exhibits of this permit action, requires the replacement of certain existing control structures, under the other ownership, with a single hydraulically equivalent structure.

BASIN INFORMATION:

Basin	Area Acres	WSWT Elev (ft, NGVD)	Normal/Dry Ctrl Elev (ft, NGVD)	Method of Determination
A. ADMIN. AREA	4.51	28.00	28/28	WETLAND INDICATOR ELEVATION
B. HORTICULTURAL	3.40	28.00	28/28	WETLAND INDICATOR ELEVATION
C. WEST LAKE, PH1	87.25	28.00	28/28	WETLAND INDICATOR ELEVATION
D. EAST LAKE, PH1	72.35	28.00	28/28	WETLAND INDICATOR ELEVATION
E. PHASE 2	.00	28.00	28/28	WETLAND INDICATOR ELEVATION

DISCHARGE STRUCTURE INFORMATION:

Water Quality Structures:

Basin	Str. #	Bleeder Type	Dimensions	Invert Elev. (ft. NGVD)
A. ADMIN. AREA	1	CIRCULAR ORIFICE	.25' dia.	28.00
A. ADMIN. AREA	2	CIRCULAR ORIFICE	.25' dia.	28.00
B. HORTICULTURAL	1	CIRCULAR ORIFICE	.25' dia.	28.00
B. HORTICULTURAL	2	CIRCULAR ORIFICE	.25' dia.	28.00

Discharge Culverts:

Basin	Str. #	Description
A. ADMIN. AREA	1	33' long, 1.5' dia. RCP
A. ADMIN. AREA	2	28' long, 2' dia. RCP
B. HORTICULTURAL	1	43' long, 1.5' dia. RCP
B. HORTICULTURAL	2	24' long, 2' dia. RCP

Receiving Body:

Basin	Str. #	Receiving Body
A. ADMIN. AREA	1	CORKSCREW SWAMP VIA EXISTING SWALES
A. ADMIN. AREA	2	CORKSCREW SWAMP VIA EXISTING SWALES
B. HORTICULTURAL	1	CORKSCREW SWAMP VIA EXISTING SWALES
B. HORTICULTURAL	2	CORKSCREW SWAMP VIA EXISTING SWALES

III. PROJECT EVALUATION

Discharge Rate:

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

Discharge Storm Frequency: 25 YR. 3 DAY Design Rainfall: 10.19

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft. NGVD)
A. ADMIN. AREA	.32	DISCHARGE FORMULA	.32	29.96
B. HORTICULTURAL	.36	DISCHARGE FORMULA	.36	30.3

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft, NGVD)
C. WEST LAKE, PH1	0	DISCHARGE FORMULA	0	29.78
D. EAST LAKE, PH1	0	DISCHARGE FORMULA	0	29.78
E. PHASE 2	0	DISCHARGE FORMULA	0	29.78

WATER QUALITY:

Water quality for the Administration Area is provided by dry pretreatment for 1/2" of runoff over the basin area, and the existing lake provides water quality for 1" of runoff over the basin area. In Phase 2, the existing lake becomes part of the larger mining area of the West Lake, which then provides the required water quality.

Water quality for the Horticultural Area is provided by dry pretreatment for 1/2" of runoff over the basin area, and the first 1" of runoff is treated in a wet detention at the east perimeter. This configuration is maintained through all phases of the project.

The mining areas on the site provide full retention in excess of the design storm event.

Basin	Treatment Method	Vol Req'd. (ac-ft)	Vol Prov'd (ac-ft)
A. ADMIN. AREA	3.48 acres DRY DETENTION	0.15	0.18
A. ADMIN. AREA	3.53 acres WET DETENTION	0.38	2.88
B. HORTICULTURAL	3.19 acres DRY DETENTION	0.13	0.17
B. HORTICULTURAL	3.24 acres WET DETENTION	0.28	20.54

ROAD DESIGN:

As shown in the following table, minimum road center lines have been set at or above the calculated design storm flood elevation.

Design Storm Freq: 5 YR. 1 DAY

Design Rainfall: 6.80 inches

Basin	Flood Elevation (ft., NGVD)	Minimum Centerline Elevation (ft, NGVD)
A. ADMIN. AREA	29.25	30
B. HORTICULTURAL	29.93	30

< FINISHED FLOORS:

As shown in the following table, minimum finished floor elevations have been set at or above the calculated design storm flood elevation.

Design Storm Frequency: 100 YR 3 DAY Design Rainfall: 12.90 inches

Basin	Flood Elevation (ft., NGVD)	FEMA Elevation (ft., NGVD)	Minimum Design Elev (ft., NGVD)
A. ADMIN. AREA	30.52	31	31
B. HORTICULTURAL	30.88	30.9	30.9

PARKING LOT DESIGN:

As shown in the following table, minimum parking lot elevations have been set at or above the calculated design storm flood elevation.

Design Storm Frequency: 5 YR. 1 DAY Design Rainfall: 6.80 inches

Basin #	Flood Elevation (ft., NGVD)	Minimum Centerline Elevation (ft., NGVD)
A. ADMIN. AREA	29.25	29.25
B. HORTICULTURAL	29.93	29.93

IV. ENVIRONMENTAL ASSESSMENT

PROJECT SITE DESCRIPTION:

The subject property consists of the existing Corkscrew Road Mine and proposes expansion of the existing operation by 220.3 acres. The added property includes a large wetland that is part of a larger system which extends off site to the north and west. The wetland to the north includes wetlands and created flowway/ shallow ditches that are collectively known as the flowway. The flowway traverses through agricultural systems in Third Project LTD and Suncrest Citrus and is located within an agricultural reservoir.

The on-site wetland consists of cypress that has become heavily invaded with Brazilian pepper and the hydrology has been altered. In addition to the onsite wetlands, the site includes 7.5 acres of man-made ditches associated with agricultural activities. The wetland map is shown on exhibit 12F.

ENDANGERED, THREATENED & SPECIES OF SPECIAL CONCERN SUMMARY:

A survey of the property identified two American alligators and two unidentifiable nests were observed in the cypress area in the northeast corner of the property. Two small alligators were observed in the west site perimeter ditch. This ditch is adjacent to the cypress wetland area to the east and during the rainy season the alligators utilize the wetland and move to the ditch when water levels are lower. The preserved wetland will provide habitat for the alligators. No other wetland-dependent endangered/threatened species or species of special concern were observed on site, and submitted information indicates that potential use of the site by such species is minimal. This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if in the future, endangered/threatened species or species of special concern are discovered on the site.

LEGAL/INSTITUTIONAL:

The previous application # 990413-9 placed approximately 65.42 acres of wetlands within a conservation easement. These wetlands were preserved outside the excavation limits with a minimum 50 foot separation distance between the excavation area and the berm surrounding the wetlands. These wetlands are shown on Exhibit 12F and are labeled lands previously placed under conservation easement. The added area has been designed to avoid all wetland impacts and preserve the wetlands within a conservation easement. These onsite preservation areas are shown on Exhibit 12F and are labeled additional lands to be placed under a conservation easement. A draft conservation easement document is attached as Exhibit 12A-12E. A map of all the conservation easement areas is attached as Exhibit 12F. Any deviations from this approved easement form must be reviewed by District staff.

WETLAND PRESERVATION AND IMPACT SUMMARY:

There are no wetland impacts proposed and therefore no mitigation is required. However, the onsite wetland will be enhanced and placed within a conservation easement with a basic maintenance and monitoring plan implemented in this area. The wetland will be maintained exotic free immediately following a maintenance activity and annual reports will be submitted to the District describing the results of the monitoring activities. All the existing wetlands will be preserved outside the excavation limits with a minimum 50 foot separation distance between the excavation and the berm surrounding the wetlands. Existing hydrology within the wetlands will be maintained. The project is located within a wellfield protection zone, which requires the excavation operation to be conducted utilizing wet excavation which limits potential drawdown effects.

In order to obtain better "flow equalization" within the Third Project Ltd. (AKA Wildcat Farms) reservoirs, a modification to application # 960404-3 authorized excavation of two new ditches, the maintenance of seven existing cuts through the upland flowways, and replacement of water control structures

15-19 with a single, hydraulically equivalent structure. The one control structure is located on the southern boundary of the wetland and this structure controls flows from Third Project Ltd. The Third Project Ltd. permit authorized a southern excavation through wetland 20 (which is connected to the northern part of wetland 4) to improve drainage for the Third Project Ltd. site. This permit does not propose to modify the discharge structures or flows from the Third Project Ltd.

MITIGATION MONITORING:

There are no wetland impacts associated with this application and therefore, no mitigation is required. The on-site wetland will be placed within a conservation easement and this area will be maintained as outlined in the maintenance and monitoring plan as shown on Exhibit 11A-11C.

WETLAND INVENTORY NOTE:

The impact and preservation areas include the additional area only.

WETLAND INVENTORY:

MOD ENTIRE PRJ-CORKSCREW MINE- ADDITIONAL PROPERTY

ONSITE

Pre-Development		Post-Development				
	TOTAL EXISTING	PRESERVED	UNDISTURBED	IMPACTED	ENHANCED	RESTORED/ CREATED
OSW	7.5	0	0	7.5	0	0
FORESTED	68.53	12.9	55.63	0	0	0
TOTALS	76.03	12.9	55.63	7.5	0	0

UPLAND COMP: PRESERVED: N/A

ENHANCED: N/A

ENVIRONMENTAL SUMMARY:

The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest.

There are no wetland impacts proposed and therefore no mitigation is required. However, the onsite wetland shown in exhibit 12F will be enhanced and placed within a conservation easement with a basic maintenance and monitoring plan implemented in this area. The wetlands will be maintained exotic free immediately following a maintenance activity and annual reports will be submitted to the District describing the wetland condition. All the existing wetlands will be preserved outside the excavation limits with a minimum 50 foot separation distance between the excavation and the berm surrounding the wetlands. The excavation operation will be conducted utilizing wet excavation which limits potential drawdown effects.

The ditches which directly interconnect the on-site wetlands and the off-site wetland to the east, will not be altered as part of this permit. The overall hydrology and direction of sheetflow for the northern wetland and the off-site wetland should not be effected. This permit does not propose to change any flow pattern within Third Project Ltd.

Based upon the proposed project design, the District has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

SYSTEM OPERATION:

Corkscrew Mining Ventures, Inc.

PROPOSED LAND USE(S):

Mining

WATER USE PERMIT STATUS:

A Water Use permit is not required for this project at this time.

POTABLE WATER SUPPLIER:

On Site Well

WASTE WATER SYSTEM/SUPPLIER:

Septic

< **DRI STATUS:**

This project is not a DRI.

SAVE OUR RIVERS:

The project is not within or adjacent to lands under consideration by the Save Our Rivers program.

SWIM BASIN:

The project is not within nor does it discharge directly to a designated SWIM basin.

RIGHT-OF-WAY PERMIT STATUS:

A Right-of-Way Permit is not required for this project.

ENFORCEMENT ACTIVITY:

There has been no enforcement activity associated with this application.

THIRD PARTY INTEREST:

No third party has contacted the District with concerns about this application.

WELL FIELD ZONE OF INFLUENCE:

The project is located within the zone of influence of a wellfield.

V. APPLICABLE LAND AREA

WTRM area is comprised of the East and West Lakes, 178.09 acres, and 109.09 acres, respectively, plus 11.63 acres of the north-south flowway maintained between the two lakes.

OTHER area in the previously permitted column is the excavation area of the previously permitted lake. This area is included in WTRM ACREAGE for the total project.

PROJECT

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	602.09	381.42	602.09	acres
WTRM ACREAGE	298.81	.88	298.81	acres
PAVEMENT	38.81	10.00	38.81	acres
BUILD COVERAGE	16.37		16.37	acres
PRESERVED	97.32	65.50	97.32	acres
PERVIOUS	150.78	134.80	150.78	acres
OTHER		170.24		acres

BASIN LEVEL BREAKDOWN

Basin Name: A. ADMIN. AREA

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	4.51		4.51	acres
WTRM ACREAGE	1.94		1.94	acres
PAVEMENT	.74		.74	acres
BUILD COVERAGE	.13		.13	acres
PERVIOUS	1.70		1.70	acres

Basin Name: B. HORTICULTURAL

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	3.40		3.40	acres
WTRM ACREAGE	.65		.65	acres
PAVEMENT	.49		.49	acres
BUILD COVERAGE	.01		.01	acres
PERVIOUS	2.25		2.25	acres

Basin Name: C. WEST LAKE, PH1

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE
TOTAL ACRES	87.25		87.25 acres
WTRM ACREAGE	81.15		81.15 acres
PERVIOUS	6.10		6.10 acres

Basin Name: D. EAST LAKE, PH1

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE
TOTAL ACRES	72.35		72.35 acres
WTRM ACREAGE	66.50		66.50 acres
PERVIOUS	5.85		5.85 acres

Basin Name: E. PHASE 2

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE
TOTAL ACRES	298.81		298.81 acres
WTRM ACREAGE	287.18		287.18 acres
OTHER	11.63		11.63 acres

DRAFT
Subject to Governing
Board Approval

VI. STAFF RECOMMENDATION

The Staff recommends that the following be issued:

Modification of Environmental Resource Permit 36-03663-P to expand the original area of the permit to 602.09 acres of contiguous property, by the addition of properties immediately adjacent to the east side. The project discharges to the Corkscrew Swamp via agricultural ditches.

Based on the information provided, District rules have been adhered to.

Staff recommendation is for approval subject to the attached
General and Special Conditions.

VII. STAFF REVIEW

SERVICE CENTER MANAGER

R. Thompson *for* DATE: 2-26-01
Chip Merriam

NATURAL RESOURCE MANAGEMENT DEPARTMENT APPROVAL

ENVIRONMENTAL EVALUATION

Lisa L. Earhart
Lisa L. Earhart

SUPERVISOR

Karen M. Johnson
Karen M. Johnson

DEPARTMENT DIRECTOR:

Robert G. Robbins DATE: 2/27/01
Robert G. Robbins

SURFACE WATER MANAGEMENT DEPARTMENT APPROVAL

ENGINEERING EVALUATION

Hugh Tamassia
Hugh Tamassia

SUPERVISOR

Richard H. Thompson, P.E.
Richard H. Thompson, P.E.

DEPARTMENT DIRECTOR:

Anthony M. Waterhouse, P.E. DATE: 2/28/01
Anthony M. Waterhouse, P.E.

GENERAL CONDITIONS

1. ALL ACTIVITIES AUTHORIZED BY THIS PERMIT SHALL BE IMPLEMENTED AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT. ANY DEVIATION FROM THE PERMITTED ACTIVITY AND THE CONDITIONS FOR UNDERTAKING THAT ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND PART IV, CHAPTER 373, F.S.
2. THIS PERMIT OR A COPY THEREOF, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS SHALL BE KEPT AT THE WORK SITE OF THE PERMITTED ACTIVITY. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW AT THE WORK SITE UPON REQUEST BY THE DISTRICT STAFF. THE PERMITTEE SHALL REQUIRE THE CONTRACTOR TO REVIEW THE COMPLETE PERMIT PRIOR TO COMMENCEMENT OF THE ACTIVITY AUTHORIZED BY THIS PERMIT.
3. ACTIVITIES APPROVED BY THIS PERMIT SHALL BE CONDUCTED IN A MANNER WHICH DOES NOT CAUSE VIOLATIONS OF STATE WATER QUALITY STANDARDS. THE PERMITTEE SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR EROSION AND POLLUTION CONTROL TO PREVENT VIOLATION OF STATE WATER QUALITY STANDARDS. TEMPORARY EROSION CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY. TURBIDITY BARRIERS SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS WHERE THE POSSIBILITY OF TRANSFERRING SUSPENDED SOLIDS INTO THE RECEIVING WATERBODY EXISTS DUE TO THE PERMITTED WORK. TURBIDITY BARRIERS SHALL REMAIN IN PLACE AT ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED. ALL PRACTICES SHALL BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS DESCRIBED IN CHAPTER 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL; A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988), INCORPORATED BY REFERENCE IN RULE 40E-4.091, F.A.C. UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT. THEREAFTER THE PERMITTEE SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE BARRIERS. THE PERMITTEE SHALL CORRECT ANY EROSION OR SHOALING THAT CAUSES ADVERSE IMPACTS TO THE WATER RESOURCES.
4. THE PERMITTEE SHALL NOTIFY THE DISTRICT OF THE ANTICIPATED CONSTRUCTION START DATE WITHIN 30 DAYS OF THE DATE THAT THIS PERMIT IS ISSUED. AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ACTIVITY AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE FORM NO. 0960 INDICATING THE ACTUAL START DATE AND THE EXPECTED COMPLETION DATE.
5. WHEN THE DURATION OF CONSTRUCTION WILL EXCEED ONE YEAR, THE PERMITTEE SHALL SUBMIT CONSTRUCTION STATUS REPORTS TO THE DISTRICT ON AN ANNUAL BASIS UTILIZING AN ANNUAL STATUS REPORT FORM. STATUS REPORT FORMS SHALL BE SUBMITTED THE FOLLOWING JUNE OF EACH YEAR.
6. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE PERMITTED ACTIVITY, THE PERMITTEE SHALL SUBMIT A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR OTHER APPROPRIATE INDIVIDUAL AS AUTHORIZED BY LAW, UTILIZING THE SUPPLIED ENVIRONMENTAL

RESOURCE PERMIT CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION FORM NO.0881. THE STATEMENT OF COMPLETION AND CERTIFICATION SHALL BE BASED ON ONSITE OBSERVATION OF CONSTRUCTION OR REVIEW OF ASBUILT DRAWINGS FOR THE PURPOSE OF DETERMINING IF THE WORK WAS COMPLETED IN COMPLIANCE WITH PERMITTED PLANS AND SPECIFICATIONS. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. ADDITIONALLY, IF DEVIATION FROM THE APPROVED DRAWINGS ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED. BOTH THE ORIGINAL AND REVISED SPECIFICATIONS MUST BE CLEARLY SHOWN. THE PLANS MUST BE CLEARLY LABELED AS "ASBUILT" OR "RECORD" DRAWING. ALL SURVEYED DIMENSIONS AND ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED SURVEYOR.

7. THE OPERATION PHASE OF THIS PERMIT SHALL NOT BECOME EFFECTIVE: UNTIL THE PERMITTEE HAS COMPLIED WITH THE REQUIREMENTS OF CONDITION (6) ABOVE, HAS SUBMITTED A REQUEST FOR CONVERSION OF ENVIRONMENTAL RESOURCE PERMIT FROM CONSTRUCTION PHASE TO OPERATION PHASE, FORM NO.0920; THE DISTRICT DETERMINES THE SYSTEM TO BE IN COMPLIANCE WITH THE PERMITTED PLANS AND SPECIFICATIONS; AND THE ENTITY APPROVED BY THE DISTRICT IN ACCORDANCE WITH SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, ACCEPTS RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SYSTEM. THE PERMIT SHALL NOT BE TRANSFERRED TO SUCH APPROVED OPERATION AND MAINTENANCE ENTITY UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE. FOLLOWING INSPECTION AND APPROVAL OF THE PERMITTED SYSTEM BY THE DISTRICT, THE PERMITTEE SHALL INITIATE TRANSFER OF THE PERMIT TO THE APPROVED RESPONSIBLE OPERATING ENTITY IF DIFFERENT FROM THE PERMITTEE. UNTIL THE PERMIT IS TRANSFERRED PURSUANT TO SECTION 40E-1.6107, F.A.C., THE PERMITTEE SHALL BE LIABLE FOR COMPLIANCE WITH THE TERMS OF THE PERMIT.
8. EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE PHASE OR PORTION OF THE SYSTEM TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
9. FOR THOSE SYSTEMS THAT WILL BE OPERATED OR MAINTAINED BY AN ENTITY THAT WILL REQUIRE AN EASEMENT OR DEED RESTRICTION IN ORDER TO ENABLE THAT ENTITY TO OPERATE OR MAINTAIN THE SYSTEM IN CONFORMANCE WITH THIS PERMIT, SUCH EASEMENT OR DEED RESTRICTION MUST BE RECORDED IN THE PUBLIC RECORDS AND SUBMITTED TO THE DISTRICT ALONG WITH ANY OTHER FINAL OPERATION AND MAINTENANCE DOCUMENTS REQUIRED BY SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, PRIOR TO LOT OR UNIT SALES OR PRIOR TO THE COMPLETION OF THE SYSTEM, WHICHEVER OCCURS FIRST. OTHER DOCUMENTS CONCERNING THE ESTABLISHMENT AND AUTHORITY OF THE OPERATING ENTITY MUST BE FILED WITH THE SECRETARY OF STATE WHERE APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY THE

COUNTY OR MUNICIPAL ENTITIES. FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENTS WILL RESULT IN THE PERMITTEE REMAINING LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM AND ANY OTHER PERMIT CONDITIONS.

10. SHOULD ANY OTHER REGULATORY AGENCY REQUIRE CHANGES TO THE PERMITTED SYSTEM, THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING OF THE CHANGES PRIOR TO IMPLEMENTATION SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
11. THIS PERMIT DOES NOT ELIMINATE THE NECESSITY TO OBTAIN ANY REQUIRED FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS PRIOR TO THE START OF ANY ACTIVITY APPROVED BY THIS PERMIT. THIS PERMIT DOES NOT CONVEY TO THE PERMITTEE OR CREATE IN THE PERMITTEE ANY PROPERTY RIGHT, OR ANY INTEREST IN REAL PROPERTY, NOR DOES IT AUTHORIZE ANY ENTRANCE UPON OR ACTIVITIES ON PROPERTY WHICH IS NOT OWNED OR CONTROLLED BY THE PERMITTEE, OR CONVEY ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4 OR CHAPTER 40E-40, F.A.C.
12. THE PERMITTEE IS HEREBY ADVISED THAT SECTION 253.77, F.S. STATES THAT A PERSON MAY NOT COMMENCE ANY EXCAVATION, CONSTRUCTION, OR OTHER ACTIVITY INVOLVING THE USE OF SOVEREIGN OR OTHER LANDS OF THE STATE, THE TITLE TO WHICH IS VESTED IN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND WITHOUT OBTAINING THE REQUIRED LEASE, LICENSE, EASEMENT, OR OTHER FORM OF CONSENT AUTHORIZING THE PROPOSED USE. THEREFORE, THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AUTHORIZATIONS FROM THE BOARD OF TRUSTEES PRIOR TO COMMENCING ACTIVITY ON SOVEREIGNTY LANDS OR OTHER STATE-OWNED LANDS.
13. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C., ALSO KNOWN AS THE "NO NOTICE" RULE.
14. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, ALTERATION, OPERATION, MAINTENANCE, REMOVAL, ABANDONMENT OR USE OF ANY SYSTEM AUTHORIZED BY THE PERMIT.
15. ANY DELINEATION OF THE EXTENT OF A WETLAND OR OTHER SURFACE WATER SUBMITTED AS PART OF THE PERMIT APPLICATION, INCLUDING PLANS OR OTHER SUPPORTING DOCUMENTATION, SHALL NOT BE CONSIDERED BINDING UNLESS A SPECIFIC CONDITION OF THIS PERMIT OR A FORMAL DETERMINATION UNDER SECTION 373.421(2), F.S., PROVIDES OTHERWISE.
16. THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF OWNERSHIP OR CONTROL OF A PERMITTED SYSTEM OR THE REAL PROPERTY ON WHICH THE PERMITTED SYSTEM IS LOCATED. ALL TRANSFERS OF OWNERSHIP OR TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF RULES 40E-1.6105 AND 40E-1.6107, F.A.C. THE PERMITTEE

TRANSFERRING THE PERMIT SHALL REMAIN LIABLE FOR CORRECTIVE ACTIONS THAT MAY BE REQUIRED AS A RESULT OF ANY VIOLATIONS PRIOR TO THE SALE, CONVEYANCE OR OTHER TRANSFER OF THE SYSTEM.

17. UPON REASONABLE NOTICE TO THE PERMITTEE, DISTRICT AUTHORIZED STAFF WITH PROPER IDENTIFICATION SHALL HAVE PERMISSION TO ENTER, INSPECT, SAMPLE AND TEST THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
18. IF HISTORICAL OR ARCHAEOLOGICAL ARTIFACTS ARE DISCOVERED AT ANY TIME ON THE PROJECT SITE, THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE APPROPRIATE DISTRICT SERVICE CENTER.
19. THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE DISTRICT IN WRITING OF ANY PREVIOUSLY SUBMITTED INFORMATION THAT IS LATER DISCOVERED TO BE INACCURATE.

SPECIAL CONDITIONS

1. DISCHARGE FACILITIES:

BASIN: A. ADMIN. AREA, STRUCTURE NO. 1:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
33 LF OF 1.5' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: A. ADMIN. AREA, STRUCTURE NO. 2:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
28 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: B. HORTICULTURAL, STRUCTURE NO. 1:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
43 LF OF 1.5' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: B. HORTICULTURAL, STRUCTURE NO. 2:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
24 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

2. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
3. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
4. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
5. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A

DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE TOP SOILED AND STABILIZED THROUGH SEEDING OR PLANTING FROM 2 FEET BELOW TO 1 FOOT ABOVE THE CONTROL ELEVATION TO PROMOTE VEGETATIVE GROWTH.

6. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
7. LAND USE BY THE PERMITTED FACILITIES IS AGRICULTURAL. PROPOSED CONSTRUCTION OF RESIDENCES MAY REQUIRE MODIFICATION OF THIS PERMIT AND MUST BE REPORTED TO THE DISTRICT.
8. UPON COMPLETION OF CONSTRUCTION, AND ON AN ANNUAL BASIS (MARCH OF EACH YEAR) THE PERMITTEE SHALL SUBMIT REPORTS TO THIS DISTRICT FOR STRUCTURAL ADEQUACY OF THE PERMITTED IMPOUNDMENT. SUCH REPORTS SHALL INCLUDE PROPOSAL OF TECHNIQUE AND SCHEDULE FOR REPAIR OF ANY DEFICIENCIES NOTED AND SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER.
9. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF CORKSCREW MINING VENTURES, INC..
10. UPON SUBMITTAL OF AN APPLICATION FOR CONSTRUCTION AUTHORIZATION THE PERMITTEE SHALL FURNISH TO THIS DISTRICT DOCUMENTATION OF OWNERSHIP.
11. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
12. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE STAKED AND ROPED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF ROPING AND STAKING AND SCHEDULE AN INSPECTION OF THIS WORK. THE ROPING AND STAKING SHALL BE SUBJECT TO SFWMD STAFF APPROVAL. THE PERMITTEE SHALL MODIFY THE STAKING AND ROPING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. STAKING AND ROPING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.
13. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
14. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS

PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.

15. A WETLAND MONITORING PROGRAM SHALL BE IMPLEMENTED WITHIN THE PROTECTED WETLANDS AND DETENTION AREAS. MONITORING SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 11A-11C AND SHALL INCLUDE ANNUAL REPORTS SUBMITTED TO THE SFWMD FOR REVIEW. MONITORING SHALL CONTINUE FOR A PERIOD OF 5 YEARS.
- 15.
16. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
APRIL 1, 2001	SUBMITTAL OF THE RECORDED CONSERVATION EASEMENT
JULY 1, 2001	EXOTIC VEGETATION REMOVAL
MARCH 1, 2002	FIRST MONITORING REPORT
MARCH 1, 2003	SECOND MONITORING REPORT
MARCH 1, 2004	THIRD MONITORING REPORT
MARCH 1, 2005	FOURTH MONITORING REPORT
MARCH 1, 2006	FIFTH MONITORING REPORT

17. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 11A-11C FOR THE PRESERVED/ ENHANCED/ RESTORED WETLAND AREAS, UPLAND PRESERVATION AREAS AND UPLAND BUFFER ZONES (COLLECTIVELY KNOWN AS CONSERVATION AREAS) ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THE CONSERVATION AREA (S) AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE CONSERVATION AREAS ARE FREE FROM EXOTIC VEGETATION (AS CURRENTLY DEFINED BY THE FLORIDA EXOTIC PLANT COUNCIL) IMMEDIATELY FOLLOWING MAINTENANCE AND THAT EXOTIC AND NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 5% OF TOTAL COVER.
18. NO LATER THAN APRIL 1, 2001, THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT OVER THE REAL PROPERTY DESIGNATED AS A WETLAND ON THE ATTACHED EXHIBIT 12F. THE EASEMENT SHALL BE GRANTED FREE OF ENCUMBRANCES OR INTERESTS WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. THE EASEMENT SHALL BE GRANTED TO THE DISTRICT USING THE APPROVED FORM ATTACHED HERETO AS EXHIBIT 12A-12E. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE WRITTEN CONSENT FROM THE DISTRICT. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE DISTRICT SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.
19. ALL SPECIAL CONDITIONS PREVIOUSLY STIPULATED IN PERMIT NUMBER 36-03663-P REMAIN IN EFFECT UNLESS OTHERWISE REVISED AND SHALL APPLY TO THIS MODIFICATION.

20. MOBILIZATION AND OPERATION OF SORTING, GRADING OR CRUSHING EQUIPMENT IS PROHIBITED.
21. MINIMUM BUILDING FLOOR ELEVATION: 31.50' NGVD.
22. MINIMUM ROAD CROWN ELEVATION: 30.0' NGVD.
23. A FLOW WAY FROM THE NORTH, TO PASS OFF-SITE FLOWS FROM THE AREA KNOWN AS THE THIRD PROJECT OR WILDCAT FARMS, PERMIT NUMBER 36-00167-S, AND FROM THE WETLANDS ON THE PROJECT, SHALL BE MAINTAINED THROUGH THE SITE AT ALL TIMES.
24. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF THE EMERGENCY DISCHARGE STRUCTURE NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.
25. APPROPRIATE TURBIDITY BARRIERS AND EROSION CONTROL BEST MANAGEMENT PRACTICES SHALL BE IN PLACE DURING EXCAVATION TO ENSURE THAT NO TURBID WATER LEAVES THE SITE.

FORT MYERS SERVICE CENTER

OCT 30 2000

ADD/REUSEL SUBMITTAL

CORKSCREW MINING I.P.D.

SECTIONS 22 & 23, TOWNSHIP 46 SOUTH, RANGE 27 EAST
LEE COUNTY, FLORIDA

WATER: N/A
(TO BE PROVIDED BY WATER WELL)

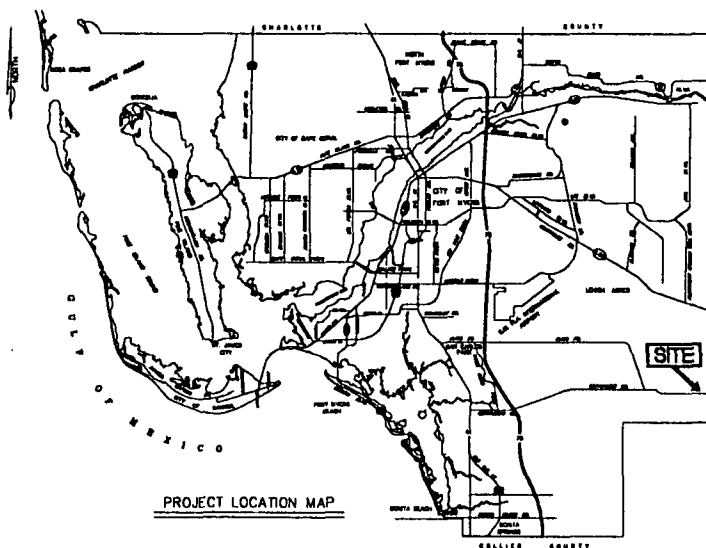
SEWER: N/A
(SEWER TO BE PROVIDED BY SEPTIC SYSTEM)

ELECTRIC: Lee County Electric Co-operative
4880 Bayline Dr.
N. Ft. Myers, FL 33902
(941) 656-2300

TELEPHONE: United Telephone Co. of Florida
P.O. Box 370
Ft. Myers, FL 33902
(941) 336-2020

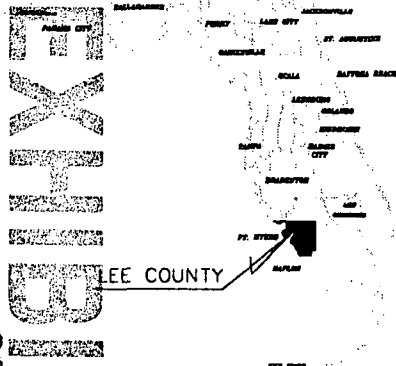
REFUSE: Gulf Disposal, Inc.
Hay 82 East
Fort Myers, Florida
(941) 334-4115

FIRE DISTRICT: Estero Fire District
20241 S. Tamiami Trail
Estero, Florida
(941) 369-8424



CONTENTS

	COVER
C1	MASTER PLAN
C2	EXISTING CONDITIONS PLAN
C3	PHASING PLAN
C4	ENLARGED SCALEHOUSE AREA
C5	ENLARGED INCINERATOR AREA
C6&C7	CROSS SECTIONS
C8	PG&D DETAILS
C9	EROSION CONTROL PLAN
C10&C11	EXISTING DRY FIRE HYDRANT
C12	EXISTING LEFT TURN LANE
C13	EXISTING TYPICAL ROADWAY SECTION
L1	LANDSCAPE PLAN
L2	IRRIGATION PLAN
	BOUNDARY SURVEY
	AERIAL PHOTOS
	TOPO AERIAL PHOTOS



LANDSCAPE ARCHITECT:
GREG DESARIO, L.A.
DAVID M. JONES JR. & ASSOCIATES
2221 MCGREGOR BLVD.
FT. MYERS, FL 33901
(941) 337-5525

OWNER:
CORKSCREW MINING VENTURES, LTD.
4090 TAMiami TRAIL, SUITE 305
NAPLES, FL 33940

ENGINEER:
BOB CASE, P.E.
LAND INVESTMENT SERVICES, INC.
2040 CLARKE AVE.
FT. MYERS, FLA. 33905
(941) 893-9246

SURVEYOR:
RON SCHUMANN, R.L.S.
LAND INVESTMENT SERVICES, INC.
13611 MCGREGOR BLVD., SUITE 21
FT. MYERS, FLA. 33919
(941) 481-7738

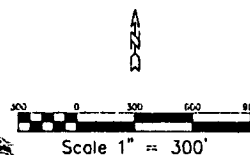
PLANNER:
PAT HUNT
LAND INVESTMENT SERVICES, INC.
6363 CALOOSA ROAD
FT. MYERS, FLA. 33912
(941) 287-5900

000822 7

SCANNED
EXHIBIT 1

Using AG-2 for Cultural Uses

NETLANDS



LEGAL DESCRIPTION

Sacacin cranes common to Sections 22, 23, 28 and 27, all Township 68 South, Range 27 East, Lee County, Florida; thence South 09° 51' 57" West, (L.C.) Section 8R 53° 51' 31" East, 3108.99 feet along the common boundary between Sections 22 and 27, 3108.99 feet, and the true bearing and distance from the intersection of the above described line North 00° 58' 50" West, 5287.48 feet to the Sacacin fire tower to Sections 15 and 22 of Township 64 South, Range 27 East, thence North 68° 29' 22" East, (L.C.) North 09° 50' 53" East, 1961.1433 feet to the Sacacin fire tower to Sections 23 and 28, thence North 09° 50' 53" East, Range 27 East; thence North 89° 30' 30" East, 1185.03 feet along the line common to said Section 14 and 23; thence South 02° 49' 45" East, 3304.81 feet; thence South 00° 14' 53" East, 2003.92 feet to the Section corner to Sections 23 and 28, the centerline of "Cedar Lake Road" - R.R. #88-1000, as shown on the plat hereto attached.

AJZ, 1994, 194G, 21 feet measured by the Point of Beginning.

less and except the Southerly 50 feet thereof for the Northerly half of Carquest Road. Said parcel contains 602.72 acres more or less.

(LC) = Lee County D.O.T.
(HM) = Hole Mentee & Associates
(D) = Dead

Parcel #22-48-27-00-00001.0000 & 1.1020, 1.2000, 1.2010, 1.2020, 1.2030, 1.2040, 1.2050, 1.2060, 1.2070, 1.2080, and

Page# 423-46-27-00-00001 0030 @ 2.0030

SCHEDULE OF USES

SALES TAXES: Sales tax is levied on the selling and processing of materials.

Administrative Office:

Agricultural uses and accessory uses for existing cattle
grazing and horse operations.

Construction: The Planning Group is limited to land clearing
and site work business.

Entertainment:

Exhibit sales:

Feasible to 100% in fuel:

Fuel Storage: Fuel Storage Containment limited to test
dispensers.

Maintenance including:

Mining and Processing:

Scrap metal:

Sewage and septic limited to horticultural incinerator.

Sales: Limited to two locations eight (8) maximum night
hours (12) a.m. to 10 p.m. during.

Storage: Limited to 10 material stockpiles and equipment
related to operation.

Vehicle and Equipment Repair: all groups, limited to those
owned or leased by the group.

Waste:

DEVIATIONS

5. **Shallow:** Request deviation from LDC Sec. 34-1682(7)(b), which requires 6 ft. of water with normal tidal regulation is necessary to maintain the health of the wetlands.
6. **Loose depth:** Request deviation from LDC Sec. 34-1682(7)(a), which requires 12 ft. of water with normal tidal regulation is necessary to maintain the health of the wetlands as previously measured and supported by borings.
7. **Access:** Request deviation from LDC Sec. 16-29(5), which requires residential use of the wetlands to be limited to access to grade level to no more means of access to allow a single access point.
8. **Landmark buffer:** Request deviation from LDC Sec. 10-29(1)(c), which requires 1/4 mile buffer to be established to protect the wetlands from adjacent wetlands 1/4 mile or less property line to provide a type E/F, to allow minor encroachment generating 15 acre from with unexpected residential structure with density wooded wetlands to be more than 1/4 mile from the wetlands.
9. **General finding:** Request deviation from LDC Sec. 10-416(4), which requires one true per 3,500 yd. of development area to allow another in lieu of creating wetlands true ratios located in wetlands preserve areas and other 1/4 sections areas.
10. **Height of necessary structures:** Request deviation from LDC Sec. 34-835(3)(b), which requires structures to be limited to 30 ft. in height to 30 ft. in height to allow 100' maximum height for processing equipment and buildings.

GENERAL NOTES:

- Wetlands - Private**
 Mapping: 40-2
 1. Land Use: Reentry Reduction Grandeur Resource
 Archeological Zone: 1-2
 2. Total Site Area: 6032.72 acres
 Open Space: 210 acres (3.5%)
 Impermeable Area: 170 acres (2.8%)
 Upland Area: 3150.07 acres (51.8%)
 Wetland Area: 66.35 acres (1.1%)
 3. Maximum Elevation: 640 ft. above sea level
 4. Buffers: R.C.N. Buffer Type "D" 15' in width to be installed.
 5. Features: 1 line per 3,500 ft. of area (line crosses a conservation area
 several times)
 6. Safety: All workers will be forced with 50' high safety fence. Ditch to be
 excavated after hours of work.
 7. Burial: Coffin type: 1 below 50' depth, 20' deep proposed.
 8. Wet Season Water Flow: Determined to be 25' x 10' WSW
 9. The plan proposed for the site is to be a 25' x 10' WSW
 historical and natural resources, nearby land use, population of water
 quality, depletion of water quality, fire and noise, noise, odor, visual
 impact, temperature, humidity and other environmental factors.
 10. Remediation: plan is attached. Survey is required prior to issuance of
 Mining Operation Permit.
 11. Dewatering: None proposed.
 12. Phasing: 4 phases for a total project duration of 31 years.
 13. The project will be a 25' x 10' WSW project of more than 10 years
 anticipated annual production of 170,000 thousand cubic yards extracted
 14. Subsets for all operations are required to be a minimum of 250' from any
 15. The project will be a 25' x 10' WSW project of more than 10 years
 occur a minimum of 450' from any private property line and 345' from
 16. Corners: None.
 17. The project will be a 25' x 10' WSW project of more than 10 years
 and 345' from any private property line and 345' from any
 18. The project will be a 25' x 10' WSW project of more than 10 years
 and 345' from any private property line and 345' from any
 19. The project will be a 25' x 10' WSW project of more than 10 years
 and 345' from any private property line and 345' from any
 20. The project will be a 25' x 10' WSW project of more than 10 years
 and 345' from any private property line and 345' from any

ORDER: Corkscrew Mining Ventures, Ltd.
4099 Tamiami Trail, Suite 303
Naples, FL 33940

EnGAGE Robert W. Cass, P.E.
Land Investment Services, Inc.
2040 Gibbs Avenue
Fort Myers, FL 33909
for (941) 893-9244
fax (941) 893-9826

BL00075: Jeremy Siro
Boyle Environmental Services, Inc.
11000 Metre Parkway, Suite 4
East Haven, CT 06025

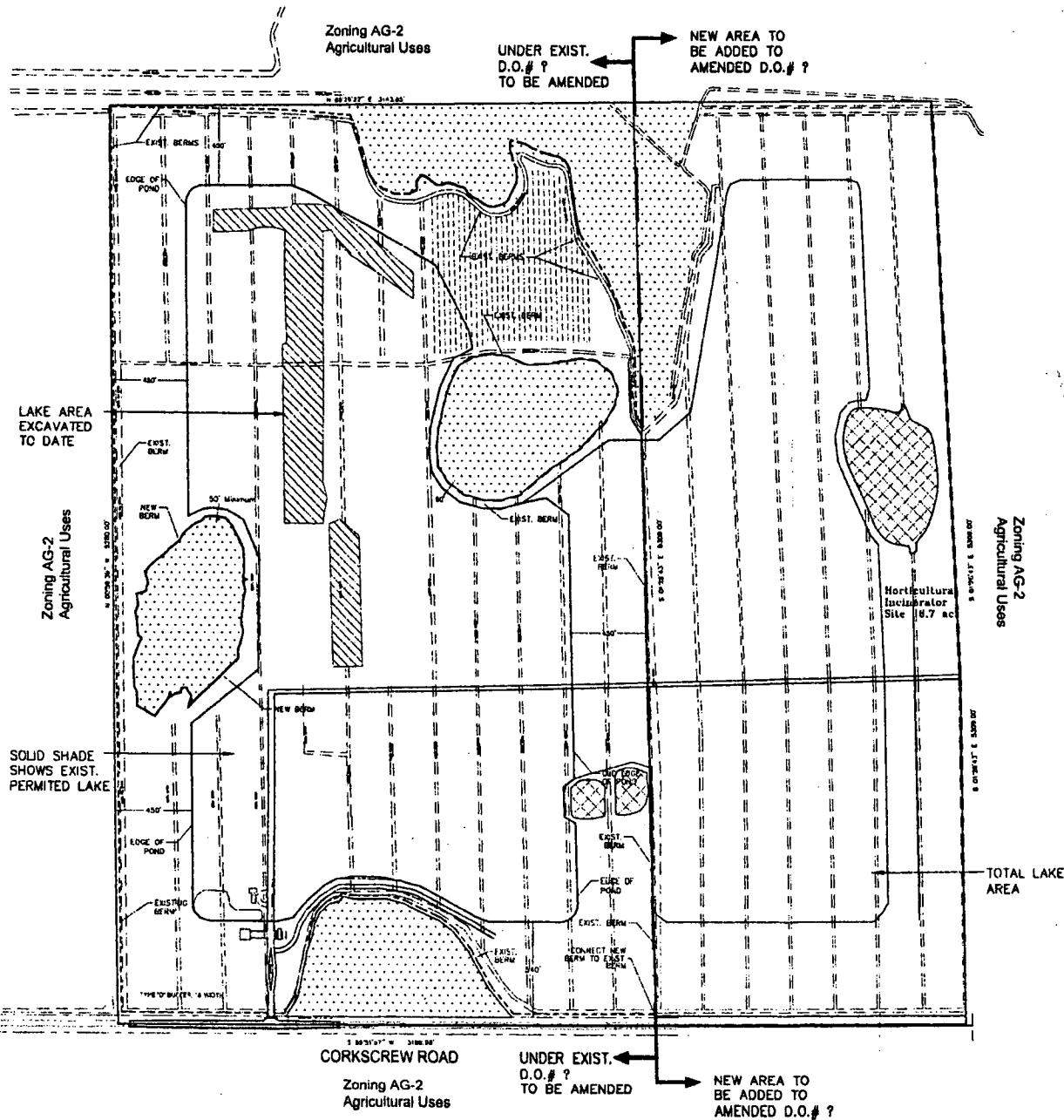
EXHIBIT

C1

C1

SCANNED

SCANNED



APPROVED SUBMITTAL
DEC 14 2011
SOUTH FLORIDA STATE COLLEGE

APPLICATION NUMBER
060822 1 14

Construction Engineering Surveying
Land Investment Services, Inc.
An Equal Opportunity Employer
2040 James Avenue
Ft. Myers, FL 33905
Phone: (813) 881-9214
Fax: (813) 881-9215
E-Mail: info@landinvestments.com

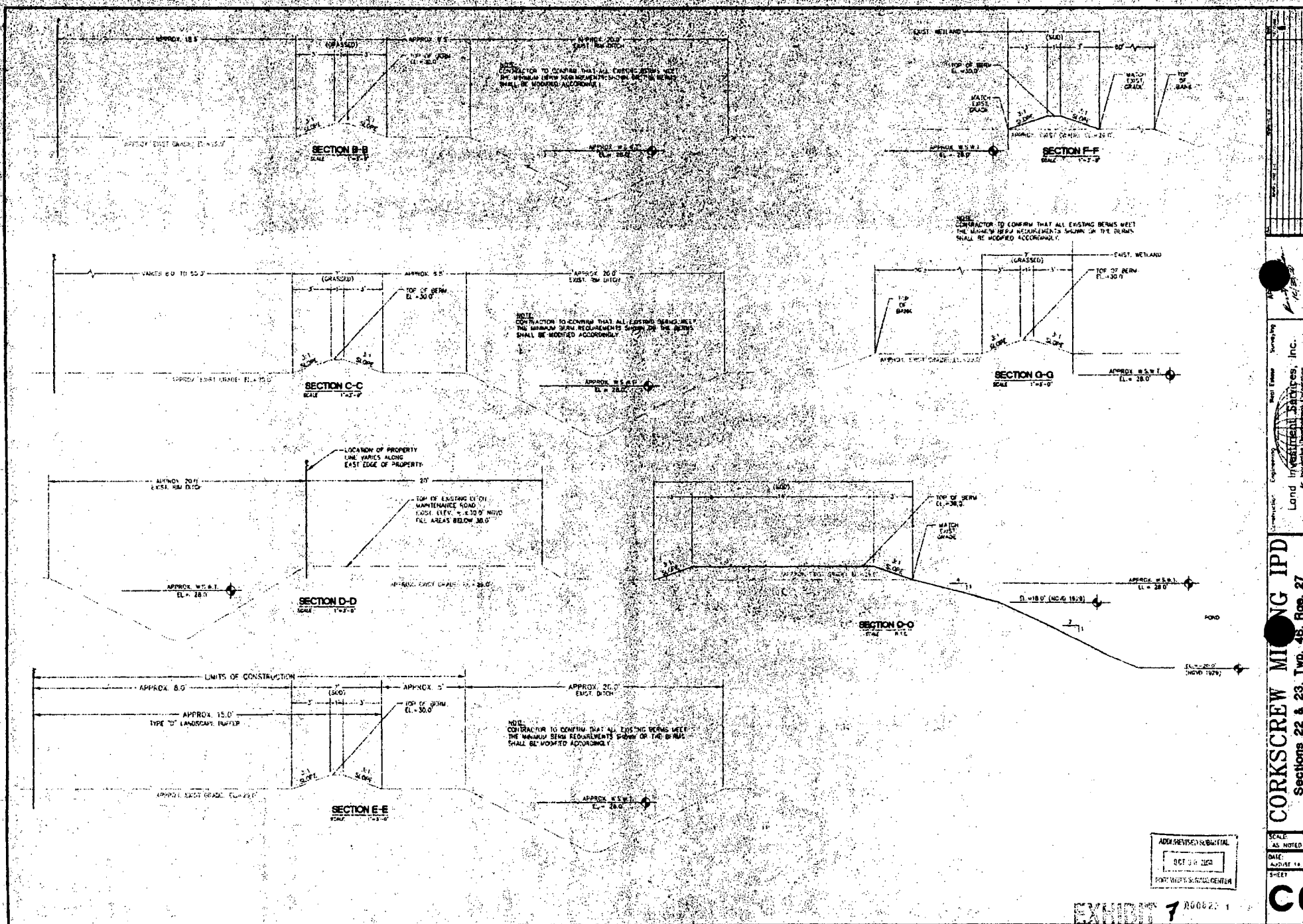
CORKSCREW MINING IPD
Sections 22 & 23, Twp. 4S, R. 27E
EXISTING CONDITIONS PLAN

SCALE:
1" = 300'-0"
DATE:
OCTOBER 11, 2011
SHEET

C2

EXHIBIT 3

SECRET

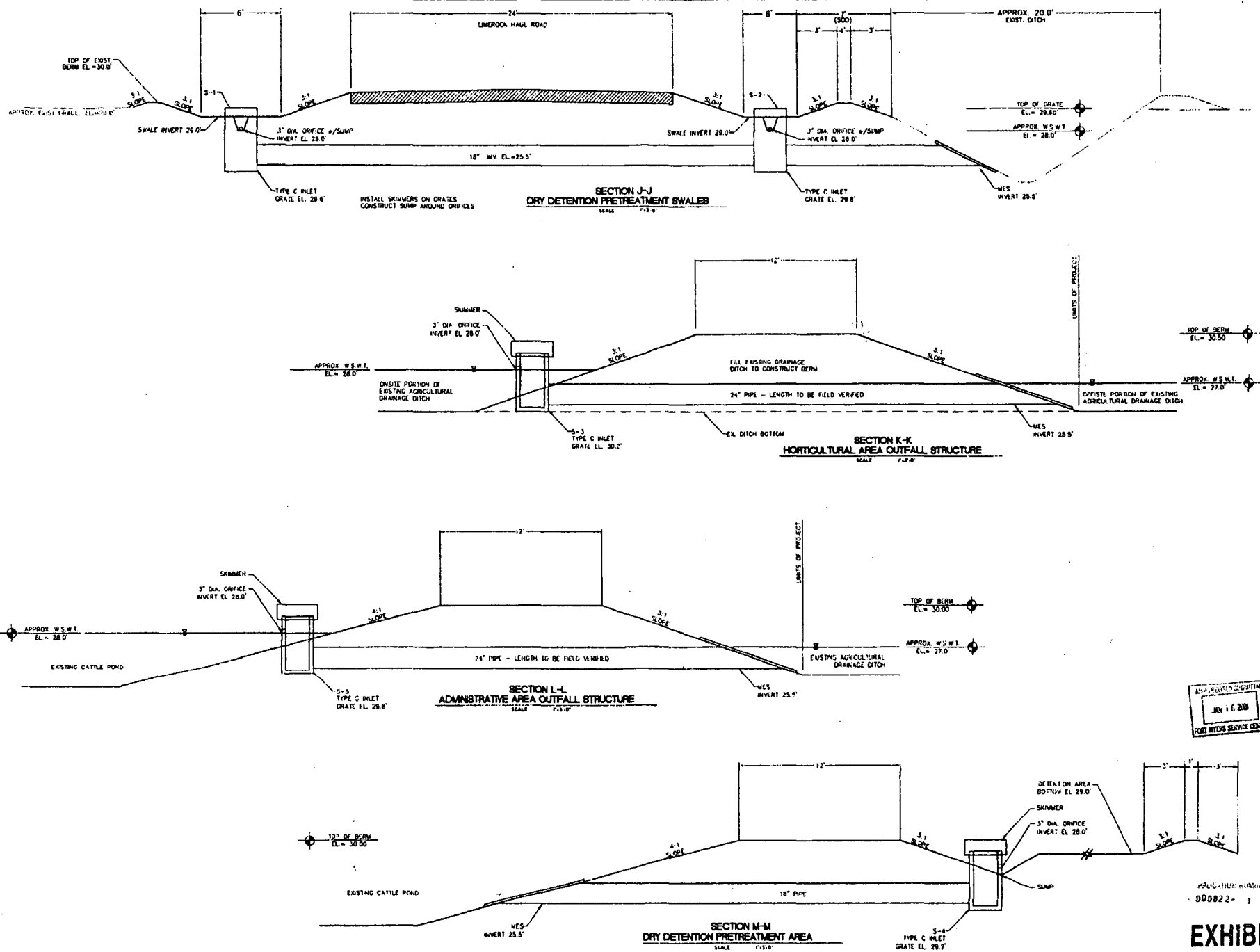


CORKSCREW MONG IPD
Sections 22 & 23, Twp. 48, Rcs. 27

SCALE:
AS NOTED
DATE:
AUGUST 10
SHEET

cc

SCANNED
SHEED



APPROVED
JAN 16 2000
PORT HODS SERVICE CENTER

000822-1

EXHIBIT 9 **C7**

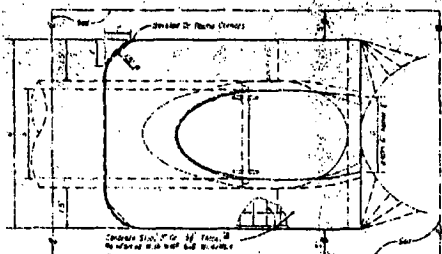
CORKSCREW MINING IPD
Sections 22 & 23, Twp. 4 N. R. 27 E.
CROSS SECTIONS

SCALE:
AS NOTED
DATE:
AUGUST 14, 2000
SHEET

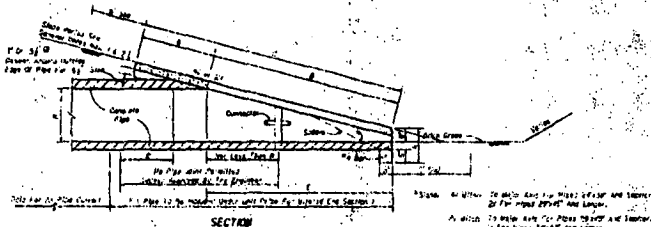
APPROVED
11/13/00
LAND INVESTMENT SERVICES, INC.
An Equal Opportunity Employer
2040 Oakview Avenue
Phone: (847) 353-8244
Fax: (847) 353-8025
T. Leppert, P.E. 33040

DIMENSIONS & QUANTITIES									
NO.	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL	NO.	DESCRIPTION	UNIT	QTY.
1	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	11	CONCRETE DRIVEWAY	SQ. YD.	100.00
2	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	12	CONCRETE DRIVEWAY	SQ. YD.	100.00
3	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	13	CONCRETE DRIVEWAY	SQ. YD.	100.00
4	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	14	CONCRETE DRIVEWAY	SQ. YD.	100.00
5	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	15	CONCRETE DRIVEWAY	SQ. YD.	100.00
6	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	16	CONCRETE DRIVEWAY	SQ. YD.	100.00
7	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	17	CONCRETE DRIVEWAY	SQ. YD.	100.00
8	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	18	CONCRETE DRIVEWAY	SQ. YD.	100.00
9	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	19	CONCRETE DRIVEWAY	SQ. YD.	100.00
10	CONCRETE DRIVEWAY	SQ. YD.	100.00	1.00	100.00	20	CONCRETE DRIVEWAY	SQ. YD.	100.00

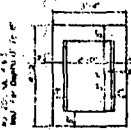
CROSS DRAIN
MITERED END SECTION
SHOWING REINFORCED CONCRETE PIPE



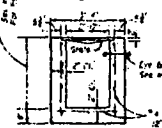
TOP VIEW - SINGLE PIPE



SECTION



PLAN



SECTION

INLETS

TYPE E

STEEL GRATES

TYPE C

STEEL GRATES

TYPE E

STEEL GRATES

TYPE C

STEEL GRATES

TYPE E

STEEL GRATES

TYPE C

STEEL GRATES

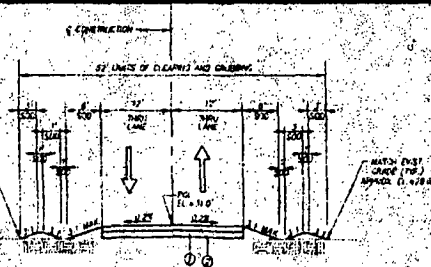
TYPE E

STEEL GRATES

TYPICAL EXISTING PARKING SECTION



TYPICAL EXISTING HAUL ROAD SECTION



- PAVEMENT LEGEND
- 1. 8" UNLOCK BASE, DOUBLE COURSE, (LBP 100)
 - 2. 12" STABILIZED SUBGRADE, TYPE B, (LBP 40)

NOTES

CONTRACTOR SHALL SUBMIT AND OBTAIN APPROVED DESIGN FOR THE PROPOSED WATER CONTROL STRUCTURE IN ACCORDANCE WITH PWD AND ADP STANDARDS. THE DESIGN SHALL BE REINFORCED CONCRETE WITH A MINIMUM THICKNESS OF 12". AREA, PLACE, AND QUANTITY SHALL BE SHOWN ON THE PLAN.

ALL AREAS DISTURBED BY CONSTRUCTION SHALL BE RESTORED TO THEIR ORIGINAL CONDITION. ALL EXISTING DRAINAGE STRUCTURES SHALL BE MAINTAINED AND REPAIRS MADE TO MEET PWD STANDARDS.

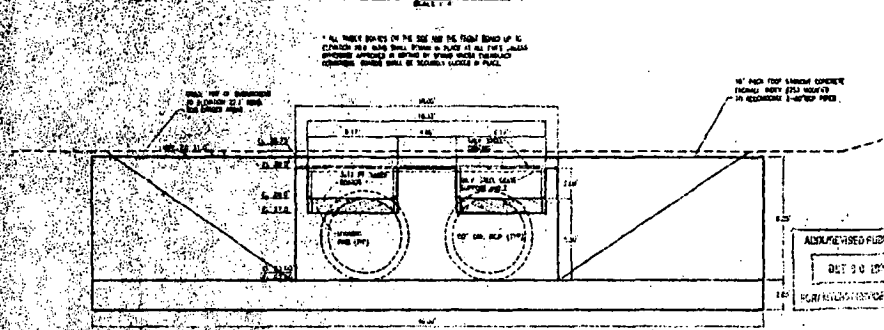
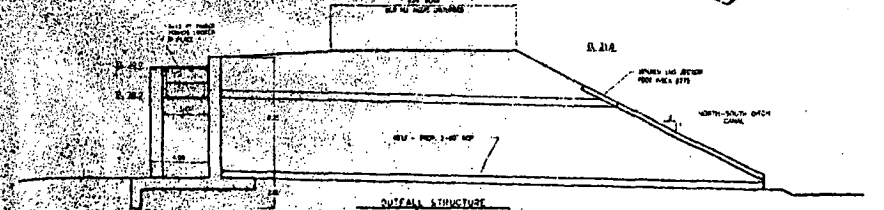
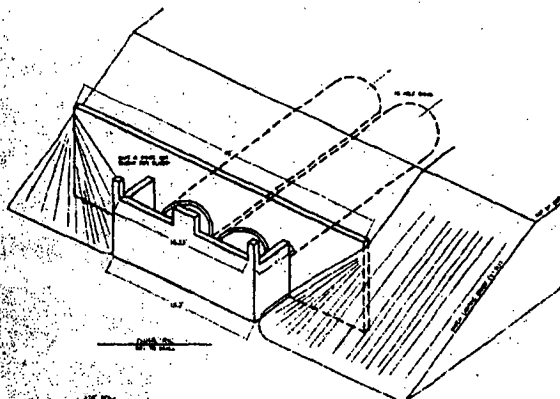
ALL EXPOSED CONCRETE SHALL BE FINISHED WITH A 1/4" FINISH.

ALL SURFACES SHALL BE FINISHED TO MEET PWD STANDARDS.

THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO THE PUBLIC AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO THE PUBLIC AT ALL TIMES.

ALL EXISTING UTILITIES SHALL BE MAINTAINED AND REPAIRS MADE TO MEET PWD STANDARDS.

CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND TO THE PUBLIC AT ALL TIMES.



CUTFALL STRUCTURE

Corkscrew Mine Monitoring and Maintenance Plan

Preservation & Maintenance:

Wetland Preservation & Enhancement, selective exotic removal

Approximately 67.46 acres of on-site wetlands will be enhanced. See attached "Corkscrew Mine, Monitoring & Maintenance Plan" drawing for preserve locations. Exotic and nuisance species will be selectively removed or treated in place with appropriate herbicides.

Upland Preserve & Enhancement, selective exotic removal

Approximately 10.86 acres of uplands surrounding wetland number 3 would be preserved. Exotic and nuisance species will be selectively removed or treated in place with appropriate herbicides.

All preserves will be placed under a Conservation Easement dedicated to South Florida Water Management District to ensure perpetual protection.

The maintenance plan will be implemented on a regular basis to ensure the integrity and viability of the preserve areas. The maintenance will be conducted in perpetuity to ensure that the wetland and upland preserves are free of exotic and nuisance vegetation (those species currently identified by the Florida Exotic Pest Plant Council's current list of most invasive plant species and incorporated herein by reference) immediately following a maintenance activity and shall consist of no more than 5% of total coverage between maintenance activities.

Monitoring:

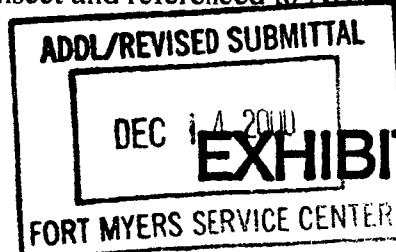
In accordance with SFWMD guidelines, wetland monitoring will be conducted for five years and will include the following parameters:

- Panoramic Photographs
- A Vegetation Discussion along each Transect
- Summary of Wildlife Utilization
- Monthly Water Level Monitoring in Dry Season
- Bi-Monthly Water Level Monitoring in Wet Season

The plan includes a total of 2 monitoring transects. The first transect is located in wetland #2. The second in wetland #3. A panoramic photo will be taken at each transect. A staff gauge will be installed adjacent to each transect and referenced to NGVD.

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SCANNED
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Four additional panoramic photopoints will be established in each of the wetlands to be bermed offsite (wetlands #1 & #4).

For details regarding locations of transects, photopoints, and staff gauges, see drawing titled "Corkscrew Mine, Monitoring Map".

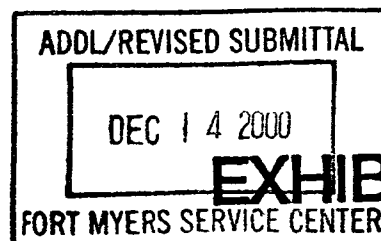
Work Schedule

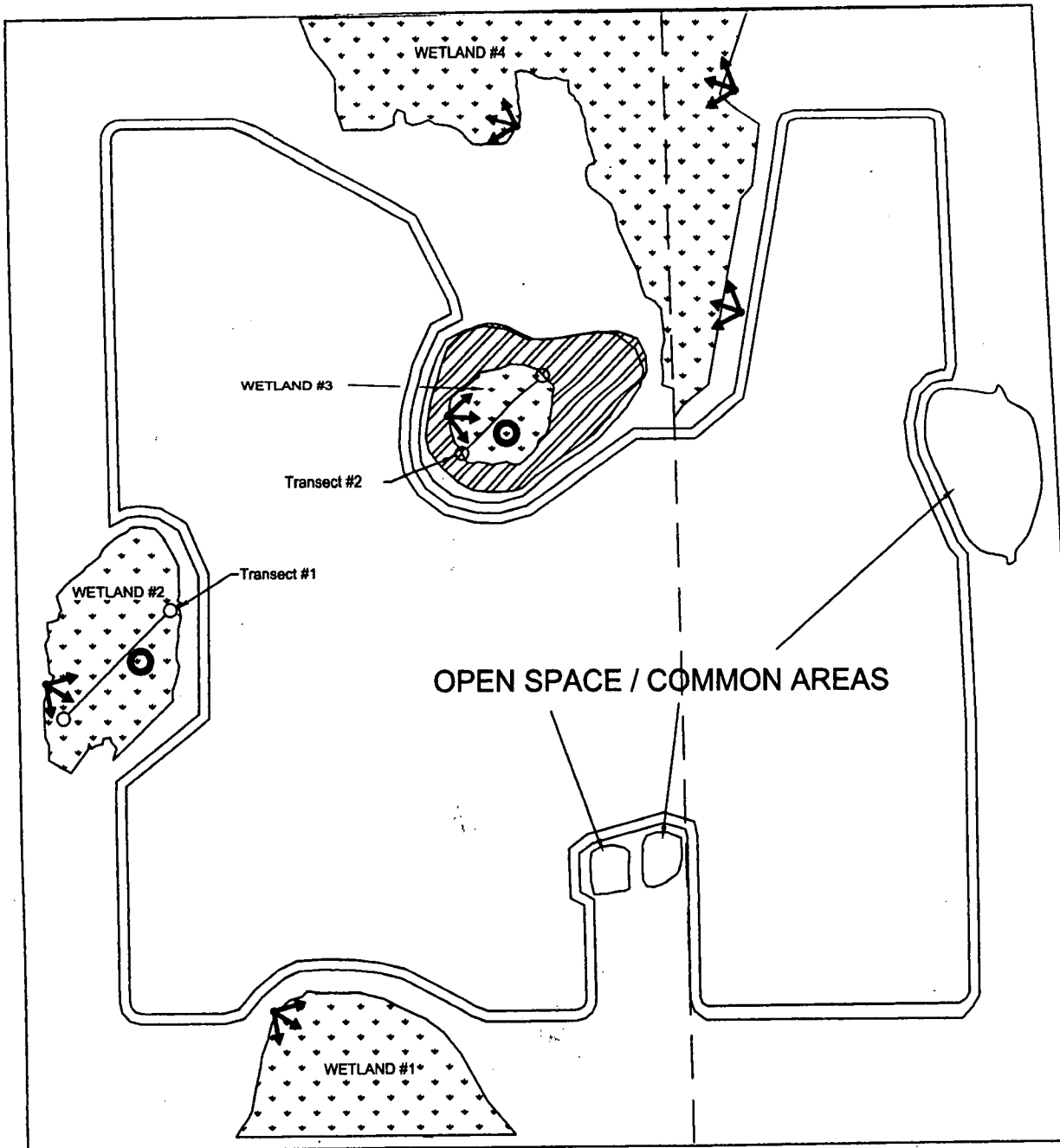
Completion Date	Activity	Status
December 15, 1999	Record Conservation Easement (Section 22)	Completed
December 15, 1999	Baseline Monitoring Report (Section 22)	Completed
March 15, 2000	Exotic Vegetation Removal (Section 22)	Follow-up In Progress
<i>March 1, 2001*</i>	<i>Time Zero Monitoring (Section 22)</i>	
March 1, 2001	Record Conservation Easement (Section 23)	
March 1, 2001	Baseline Monitoring (Section 23)	
July 1, 2001	Exotic Vegetation Removal (Section 23)	
July 1, 2001	Time Zero Monitoring (Section 23)	
<i>March 1, 2002*</i>	<i>First Monitoring Report</i>	
<i>March 1, 2003*</i>	<i>Second Monitoring Report</i>	
<i>March 1, 2004*</i>	<i>Third Monitoring Report</i>	
<i>March 1, 2005*</i>	<i>Fourth Monitoring Report</i>	
<i>March 1, 2006*</i>	<i>Fifth Monitoring Report</i>	

**These Dates were pushed back five months from the previously permitted Section 22 portion of site to coincide with monitoring to be conducted in Section 23*

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SECTION 22

PREVIOUSLY PERMITTED

ADDITIONAL LANDS
ADDED

SECTION 23

JOB # 98085
SCALE 1"=800'
FILE MMP3
DRAWN BY JDK
DATE 1-4-00

CORKSCREW MINE
MONITORING MAP

COUNTY LEE
SEC 22 & 23
TWP 46S
RNG 27E
REVISIONS

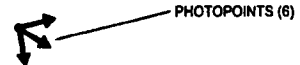
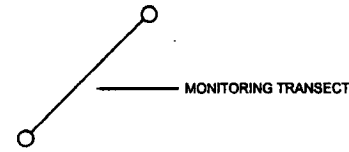
Boyland
Environmental
Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941) 418-0671

EXHIBIT 11C

JURISDICTIONAL
WETLANDS PRESERVED
& ENHANCED, 55.63 AC



UPLANDS PRESERVED
& ENHANCED
10.86 AC



ADD/REVISED SUBMITTAL

JAN 5 2001

APPLICATION NUMBER

000822-1

FORT MYERS SERVICE CENTER
SCANNED

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is given this 4th day
of December, 2000, ~~XIXXX~~ by Corkscrew Mining Ventures, Ltd.
(address) 4099 Tamiami Trail North, Suite 305
Naples, FL 34103

("Grantor") to the South Florida Water Management District ("Grantee"). As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Lee County, Florida, and more specifically described in Exhibit A attached hereto and incorporated herein ("Property"); and

WHEREAS, the Grantor desires to construct (name of project) Corkscrew Road Mine ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

WHEREAS, District Permit No. 36-03663-P ("Permit") authorizes certain activities which affect waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

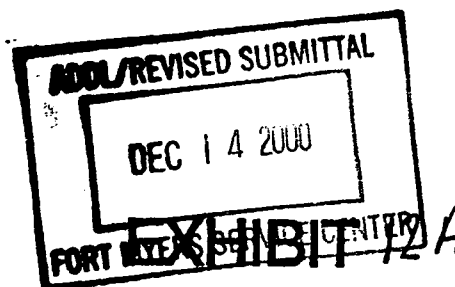
WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual conservation easement as defined in Section 704.06, Florida Statutes (1997), over the Property.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct and operate the permitted activity, and as an inducement to Grantee in issuing the Permit, together with other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, Grantor hereby grants, creates, and establishes a perpetual conservation easement for and in favor of the Grantee upon the Property which shall run with the land and be binding upon the Grantor, and shall remain in full force and effect forever.

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000822 1

1 of 5



The scope, nature, and character of this conservation easement shall be as follows:

1. It is the purpose of this conservation easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the conservation easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

APPLICATION NUMBER

000822

1

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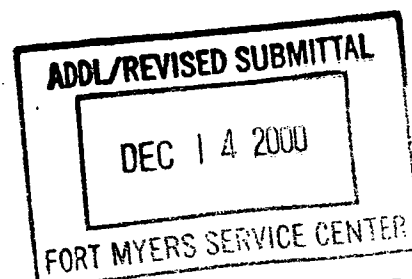


EXHIBIT 12B
SCANNED
SCANNED

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of any features or aspects of the Property having historical or archaeological significance.

3. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and which are not inconsistent with any District rule, criteria, permit and the intent and purposes of this Conservation Easement.

4. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.

5. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this conservation easement shall be borne by and recoverable against the nonprevailing party in such proceedings.

8. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Grantee will hold this conservation easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this conservation easement except to another organization qualified to hold such interests under the applicable state laws.

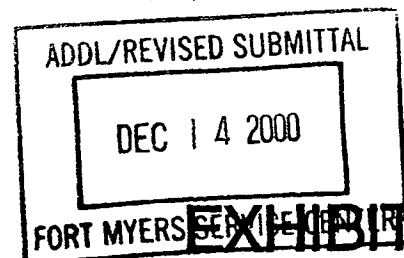
10. If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.

APPLICATION NUMBER

000822

1

3 of 5



11. Grantor shall insert the terms and restrictions of this conservation easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property.

12. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this conservation easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this conservation easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this conservation easement; and that it hereby fully warrants and defends the title to the conservation easement hereby conveyed against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, _____ has hereunto set its authorized hand this _____ day of _____ 199__.

Signed, sealed and delivered
in our presence as witnesses:

Corkscrew Mining Ventures, Ltd.
A Florida corporation

Print Name:

By: Bryan R. Chivers

Print Name: BRYAN R. CHIVERS

Title: V.P.

Print Name:

STATE OF FLORIDA

) ss:

COUNTY OF _____

On this _____ day of _____, 199____ before me, the undersigned notary public, personally appeared _____, personally known to me to be the person who subscribed to the foregoing instrument and did not take an oath, as the (position) _____, of (corporation) _____, a Florida corporation, and acknowledged that he executed the same on behalf of said corporation and that he was duly authorized to do so.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

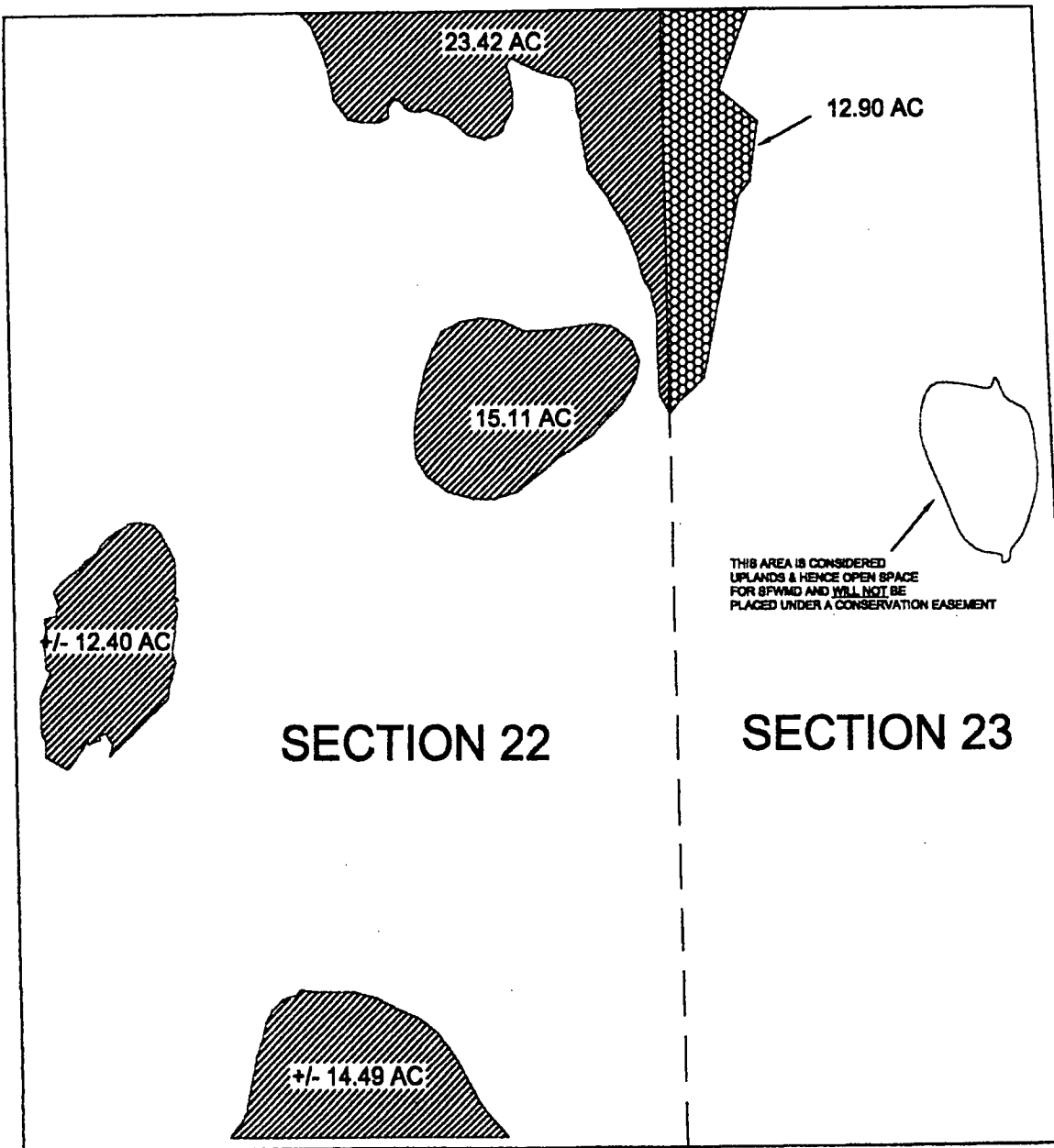
NOTARY PUBLIC, STATE OF FLORIDA



Print Name:

My Commission Expires:

South Florida Water Management District
Legal Form Approved: SFWMD - January, 1998

EXHIBIT 12
SCANNED



-  LANDS PREVIOUSLY PLACED UNDER CONSERVATION EASEMENT +/- 65.42 ACRES
-  ADDITIONAL LANDS TO BE PLACED UNDER A CONSERVATION EASEMENT +/- 12.90 ACRES

THIS AREA IS CONSIDERED UPLANDS & HENCE OPEN SPACE FOR SPWMD AND WILL NOT BE PLACED UNDER A CONSERVATION EASEMENT

THE CONSERVATION AREAS ARE HEREBY DEDICATED AS COMMON AREAS, THEY SHALL BE THE PERPETUAL RESPONSIBILITY OF THE MINE AND IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC / NUISANCE VEGETATION REMOVAL AND TRIM AREAS; EXCAVATION, DREDGING OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE; FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

JOB # 88085
SCALE 1"=800'
FILE Conservation Easement
DRAWN BY JDK
DATE 12-1-00


CORKSCREW MINE
CONSERVATION EASEMENT GRAPHIC

COUNTY LEE
SRC 22 & 23
TWP 48S
RNG 27E
REVISIONS

Boylan

Environmental

Consultants, Inc.



Wetland & Wildlife Surveys, Environmental Permitting, Impact Assessments

11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941)418-0671

EXISTING/PROPOSED LAND USE INFORMATION

MOD ENTIRE PRJ ALICO ROAD MINE- ADDITIONAL PROPERTY

ONSITE

Pre-Development					Post-Development				
Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhan	Rest Cr
OTHER SURFACE WATERS	1	7.50	N/A	WATER	.00	.00	7.50	.00	.00
WETLAND	1	12.90	FAIR/POOR	CYPRESS	12.90	.00	.00	12.90	.00
WETLAND	1-1	14.49	FAIR/POOR	CYPRESS	.00	14.49	.00	.00	.00
WETLAND	1-2	13.26	FAIR/POOR	CYPRESS	.00	13.26	.00	.00	.00
WETLAND	1-3	4.39	FAIR/POOR	MIXED WETLAND HARDWOODS	.00	4.39	.00	.00	.00
WETLAND	1-4	23.49	FAIR	CYPRESS	.00	23.49	.00	.00	.00
Totals		76.03			12.90	55.63	7.50	12.90	.00

Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhan	Rest Cr
UPLAND	1	200.91	N/A	AGRICULTURE	.00	.00	.00	.00	.00
UPLAND	1		FAIR/POOR	HERBACEOUS	.00	.00	.00	.00	.00
UPLAND	1		FAIR/POOR	MELALEUCA	.00	.00	.00	.00	.00
UPLAND	1-1	325.79	POOR	CITRUS GROVES	.00	.00	.00	.00	.00
UPLAND	1-1		POOR	BRAZILIAN PEPPER	.00	.00	.00	.00	.00
UPLAND	1-1		POOR	DISTURBED LANDS	.00	.00	.00	.00	.00
Totals		526.70			.00	.00	.00	.00	.00

STAFF REPORT DISTRIBUTION LIST

< CORKSCREW MINING IPD

APPLICATION NUMBER: 000822-1

PERMIT MODIFICATION NUMBER: 36-03663-P

INTERNAL DISTRIBUTION

Reviewer:

X Hugh Tamassia

X Lisa L. Earhart

X Karen M. Johnson

X Richard H. Thompson, P.E.
J. Golden - REG

X R. Robbins - NRM
Service Center Director - FTM

X A. Waterhouse - REG
P. Bell - LEG

X ERC Engineering

X ERC Environmental
Enforcement

X Permit File

EXTERNAL DISTRIBUTION

X Applicant:

CORKSCREW MINING VENTURES LTD

X Applicant's Agent

LAND INVESTMENT SERVICES INC

X Applicant's Consultant

LAND INVESTMENT SERVICES INC

X Engineer, County of:

LEE

Engineer, City of:

Local Drainage District:

GOVERNING BOARD MEMBERS

Mr. Mitchell W. Berger

Ms. Vera Carter

Mr. Michael Collins

Mr. Gerardo B. Fernandez

Dr. Patrick J. Gleason

Mr. Nicolas Gutierrez

Mr. Michael Minton

Mr. Harkley R. Thornton

Ms. Trudi K. Williams

COUNTY

X Lee

-Dept of Environmental
Protection

-Development & Review

-Mosquito Control

BUILDING AND ZONING

DEPT. OF ENVIRONMENTAL PROTECTION

X Ft. Myers

OTHER

X 36-00167-S

X Clara Anne Graham-Elliott

X Cooperative Three, Inc.

X Div of Recreation and Park - District 8

X Florida Audubon - Charles Lee

X Florida Fish & Wildlife Conservation Com

X Nancy Anne Payton

X S.W.F.R.P.C. - Glenn Heath

EXHIBIT 14

SCANNED



FORM #0157
Rev. 08/95

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE**

PERMIT MODIFICATION NO. 36-03663-P

DATE ISSUED: APRIL 12, 2001

Renee/ Shawn

PERMITTEE: CORKSCREW MINING VENTURES LTD
(CORKSCREW MINING IPD)
4099 TAMiami TRAIL SUITE 30.
NAPLES, FL 33940

ORIGINAL PERMIT ISSUED: SEPTEMBER 9, 1999

ORIGINAL PROJECT DESCRIPTION: AN ENVIRONMENTAL RESOURCE PERMIT TO AUTHORIZE THE CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 381.42 ACRE EXCAVATION KNOWN AS CORKSCREW ROAD MINE. THE PROJECT DISCHARGES TO THE IMPERIAL RIVER VIA AGRICULTURAL DITCHES AND CORKSCREW SWAMP.

APPROVED MODIFICATION : MODIFICATION OF ENVIRONMENTAL RESOURCE PERMIT 36-03663-P TO EXPAND THE ORIGINAL AREA OF THE PERMIT TO 602.09 ACRES OF CONTIGUOUS PROPERTY, BY THE ADDITION OF PROPERTIES IMMEDIATELY ADJACENT TO THE EAST SIDE. THE PROJECT DISCHARGES TO THE CORKSCREW SWAMP VIA AGRICULTURAL DITCHES.

PROJECT LOCATION: LEE COUNTY, SECTION 22,23 TWP 46S RGE 27E

PERMIT DURATION: Five years to complete construction of the surface water management system from the date issued. Conceptual Approval is valid for two (2) years from the date issued. See attached Rule 40E-4.321, Florida Administrative Code.

This Permit Modification is approved pursuant to Application No. 000822-1, dated August 22, 2000. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of any activities authorized by this Permit. This Permit is issued under the provisions of Chapter 373, Part IV Florida Statutes(F.S.), and the Operating Agreement Concerning Regulation Under Part IV, Chapter 373 F.S. between South Florida Water Management District and the Department of Environmental Protection. Issuance of this Permit constitutes certification of compliance with state water quality standards where necessary pursuant to Section 401, Public Law 92-500, 33 USC Section 1341, unless this Permit is issued pursuant to the net improvement provisions of Subsections 373.414(1)(b), F.S., or as otherwise stated herein.

This Permit Modification may be revoked, suspended, or modified at any time pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-4.351(1), (2), and (4), Florida Administrative Code (F.A.C.). This Permit Modification may be transferred pursuant to the appropriate provisions of Chapter 373, F.S., and Sections 40E-1.6107(1) and (2), and 40E-4.351(1), (2), and (4), F.A.C.

All specifications and special and limiting/general conditions attendant to the original Permit, unless specifically rescinded by this or previous modifications, remain in effect.

This Permit Modification shall be subject to the General Conditions set forth in Rule 40E-4.381, F.A.C., unless waived or modified by the Governing Board. The Application, and Environmental Resource Permit Staff Review Summary of the Application, including all conditions, and all plans and specifications incorporated by reference, are a part of this Permit Modification. All activities authorized by this Permit Modification shall be implemented as set forth in the plans, specifications, and performance criteria as set forth and incorporated in the Environmental Resource Permit Staff Review Summary. Within 30 days after completion of construction of the permitting activity, the Permittee shall submit a written statement of completion and certification by a registered professional engineer or other appropriate individual, pursuant to the appropriate provisions of Chapter 373, F.S. and Sections 40E-4.361 and 40E-4.381, F.A.C.

In the event the property is sold or otherwise conveyed, the Permittee will remain liable for compliance with this Permit until transfer is approved by the District pursuant to Rule 40E-1.6107, F.A.C.

SPECIAL AND GENERAL CONDITIONS ARE AS FOLLOWS:

SEE PAGES 2 - 5 OF 7 (25 SPECIAL CONDITIONS).

SEE PAGES 6 - 7 OF 7 (19 GENERAL CONDITIONS).

PERMIT MODIFICATION APPROVED BY THE GOVERNING BOARD OF THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT

FILED WITH THE CLERK OF THE
SOUTH FLORIDA WATER MANAGEMENT DISTRICT

Original signed by:

Tony Burns

BY _____

ASSISTANT SECRETARY

ON **ORIGINAL SIGNED BY:** _____

BY **JENNIFER KRUMLAUF** _____

DEPUTY CLERK

SPECIAL CONDITIONS

1. DISCHARGE FACILITIES:

BASIN: A. ADMIN. AREA, STRUCTURE NO. 1:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
33 LF OF 1.5' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: A. ADMIN. AREA, STRUCTURE NO. 2:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
28 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: B. HORTICULTURAL, STRUCTURE NO. 1:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
43 LF OF 1.5' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

BASIN: B. HORTICULTURAL, STRUCTURE NO. 2:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 28' NGVD.
24 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : CORKSCREW SWAMP VIA EXISTING SWALES

CONTROL ELEV : 28 FEET NGVD. /28 FEET NGVD DRY SEASON.

2. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
3. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
4. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
5. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE TOP SOILED AND STABILIZED THROUGH SEEDING OR PLANTING FROM 2 FEET BELOW TO 1 FOOT ABOVE THE CONTROL ELEVATION TO PROMOTE VEGETATIVE GROWTH.
6. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
7. LAND USE BY THE PERMITTED FACILITIES IS AGRICULTURAL. PROPOSED CONSTRUCTION OF

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RESIDENCES MAY REQUIRE MODIFICATION OF THIS PERMIT AND MUST BE REPORTED TO THE DISTRICT.

8. UPON COMPLETION OF CONSTRUCTION, AND ON AN ANNUAL BASIS (MARCH OF EACH YEAR) THE PERMITTEE SHALL SUBMIT REPORTS TO THIS DISTRICT FOR STRUCTURAL ADEQUACY OF THE PERMITTED IMPOUNDMENT. SUCH REPORTS SHALL INCLUDE PROPOSAL OF TECHNIQUE AND SCHEDULE FOR REPAIR OF ANY DEFICIENCIES NOTED AND SHALL BE SIGNED AND SEALED BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER.
9. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF CORKSCREW MINING VENTURES, INC..
10. UPON SUBMITTAL OF AN APPLICATION FOR CONSTRUCTION AUTHORIZATION THE PERMITTEE SHALL FURNISH TO THIS DISTRICT DOCUMENTATION OF OWNERSHIP.
11. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
12. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE STAKED AND ROPED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF ROPING AND STAKING AND SCHEDULE AN INSPECTION OF THIS WORK. THE ROPING AND STAKING SHALL BE SUBJECT TO SFWMD STAFF APPROVAL. THE PERMITTEE SHALL MODIFY THE STAKING AND ROPING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. STAKING AND ROPING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.
13. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
14. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
15. A WETLAND MONITORING PROGRAM SHALL BE IMPLEMENTED WITHIN THE PROTECTED WETLANDS AND DETENTION AREAS. MONITORING SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 11A-11C AND SHALL INCLUDE ANNUAL REPORTS SUBMITTED TO THE SFWMD FOR REVIEW. MONITORING SHALL CONTINUE FOR A PERIOD OF 5 YEARS.
16. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
APRIL 1, 2001	SUBMITTAL OF THE RECORDED CONSERVATION EASEMENT
JULY 1, 2001	EXOTIC VEGETATION REMOVAL
MARCH 1, 2002	FIRST MONITORING REPORT

MARCH 1, 2003	SECOND MONITORING REPORT
MARCH 1, 2004	THIRD MONITORING REPORT
MARCH 1, 2005	FOURTH MONITORING REPORT
MARCH 1, 2006	FIFTH MONITORING REPORT

17. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 11A-11C FOR THE PRESERVED/ ENHANCED/ RESTORED WETLAND AREAS, UPLAND PRESERVATION AREAS AND UPLAND BUFFER ZONES (COLLECTIVELY KNOWN AS CONSERVATION AREAS) ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THE CONSERVATION AREA (S) AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE CONSERVATION AREAS ARE FREE FROM EXOTIC VEGETATION (AS CURRENTLY DEFINED BY THE FLORIDA EXOTIC PLANT COUNCIL) IMMEDIATELY FOLLOWING MAINTENANCE AND THAT EXOTIC AND NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 5% OF TOTAL COVER.
18. NO LATER THAN APRIL 1, 2001, THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT OVER THE REAL PROPERTY DESIGNATED AS A WETLAND ON THE ATTACHED EXHIBIT 12F. THE EASEMENT SHALL BE GRANTED FREE OF ENCUMBRANCES OR INTERESTS WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. THE EASEMENT SHALL BE GRANTED TO THE DISTRICT USING THE APPROVED FORM ATTACHED HERETO AS EXHIBIT 12A-12E. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE WRITTEN CONSENT FROM THE DISTRICT. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE DISTRICT SERVICE CENTER WHERE THE APPLICATION WAS SUBMITTED.
19. ALL SPECIAL CONDITIONS PREVIOUSLY STIPULATED IN PERMIT NUMBER 36-03663-P REMAIN IN EFFECT UNLESS OTHERWISE REVISED AND SHALL APPLY TO THIS MODIFICATION.
20. MOBILIZATION AND OPERATION OF SORTING, GRADING OR CRUSHING EQUIPMENT IS PROHIBITED.
21. MINIMUM BUILDING FLOOR ELEVATION: 31.50' NGVD.
22. MINIMUM ROAD CROWN ELEVATION: 30.0' NGVD.
23. A FLOW WAY FROM THE NORTH, TO PASS OFF-SITE FLOWS FROM THE AREA KNOWN AS THE THIRD PROJECT OR WILDCAT FARMS, PERMIT NUMBER 36-00167-S, AND FROM THE WETLANDS ON THE PROJECT, SHALL BE MAINTAINED THROUGH THE SITE AT ALL TIMES.
24. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF THE EMERGENCY DISCHARGE STRUCTURE NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.
25. APPROPRIATE TURBIDITY BARRIERS AND EROSION CONTROL BEST MANAGEMENT PRACTICES SHALL BE IN PLACE DURING EXCAVATION TO ENSURE THAT NO TURBID WATER LEAVES THE SITE.

GENERAL CONDITIONS

1. ALL ACTIVITIES AUTHORIZED BY THIS PERMIT SHALL BE IMPLEMENTED AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT. ANY DEVIATION FROM THE PERMITTED ACTIVITY AND THE CONDITIONS FOR UNDERTAKING THAT ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND PART IV, CHAPTER 373, F.S.
2. THIS PERMIT OR A COPY THEREOF, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS SHALL BE KEPT AT THE WORK SITE OF THE PERMITTED ACTIVITY. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW AT THE WORK SITE UPON REQUEST BY THE DISTRICT STAFF. THE PERMITTEE SHALL REQUIRE THE CONTRACTOR TO REVIEW THE COMPLETE PERMIT PRIOR TO COMMENCEMENT OF THE ACTIVITY AUTHORIZED BY THIS PERMIT.
3. ACTIVITIES APPROVED BY THIS PERMIT SHALL BE CONDUCTED IN A MANNER WHICH DOES NOT CAUSE VIOLATIONS OF STATE WATER QUALITY STANDARDS. THE PERMITTEE SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR EROSION AND POLLUTION CONTROL TO PREVENT VIOLATION OF STATE WATER QUALITY STANDARDS. TEMPORARY EROSION CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY. TURBIDITY BARRIERS SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS WHERE THE POSSIBILITY OF TRANSFERRING SUSPENDED SOLIDS INTO THE RECEIVING WATERBODY EXISTS DUE TO THE PERMITTED WORK. TURBIDITY BARRIERS SHALL REMAIN IN PLACE AT ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED. ALL PRACTICES SHALL BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS DESCRIBED IN CHAPTER 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL; A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988), INCORPORATED BY REFERENCE IN RULE 40E-4.091, F.A.C. UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT. THEREAFTER THE PERMITTEE SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE BARRIERS. THE PERMITTEE SHALL CORRECT ANY EROSION OR SHOALING THAT CAUSES ADVERSE IMPACTS TO THE WATER RESOURCES.
4. THE PERMITTEE SHALL NOTIFY THE DISTRICT OF THE ANTICIPATED CONSTRUCTION START DATE WITHIN 30 DAYS OF THE DATE THAT THIS PERMIT IS ISSUED. AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ACTIVITY AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE FORM NO. 0960 INDICATING THE ACTUAL START DATE AND THE EXPECTED COMPLETION DATE.
5. WHEN THE DURATION OF CONSTRUCTION WILL EXCEED ONE YEAR, THE PERMITTEE SHALL SUBMIT CONSTRUCTION STATUS REPORTS TO THE DISTRICT ON AN ANNUAL BASIS UTILIZING AN ANNUAL STATUS REPORT FORM. STATUS REPORT FORMS SHALL BE SUBMITTED THE FOLLOWING JUNE OF EACH YEAR.
6. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE PERMITTED ACTIVITY, THE PERMITTEE SHALL SUBMIT A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR OTHER APPROPRIATE INDIVIDUAL AS AUTHORIZED BY LAW, UTILIZING THE SUPPLIED ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION FORM NO.0881. THE STATEMENT OF COMPLETION AND CERTIFICATION SHALL BE BASED ON ONSITE OBSERVATION OF CONSTRUCTION OR REVIEW OF ASBUILT DRAWINGS FOR THE PURPOSE OF DETERMINING IF THE WORK WAS COMPLETED IN COMPLIANCE WITH PERMITTED PLANS AND SPECIFICATIONS. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. ADDITIONALLY, IF DEVIATION FROM THE APPROVED DRAWINGS ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED. BOTH THE ORIGINAL AND REVISED SPECIFICATIONS MUST BE CLEARLY SHOWN. THE PLANS MUST BE CLEARLY LABELED AS "ASBUILT" OR "RECORD" DRAWING. ALL SURVEYED DIMENSIONS AND ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED SURVEYOR.

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7. THE OPERATION PHASE OF THIS PERMIT SHALL NOT BECOME EFFECTIVE: UNTIL THE PERMITTEE HAS COMPLIED WITH THE REQUIREMENTS OF CONDITION (6) ABOVE, HAS SUBMITTED A REQUEST FOR CONVERSION OF ENVIRONMENTAL RESOURCE PERMIT FROM CONSTRUCTION PHASE TO OPERATION PHASE, FORM NO.0920; THE DISTRICT DETERMINES THE SYSTEM TO BE IN COMPLIANCE WITH THE PERMITTED PLANS AND SPECIFICATIONS; AND THE ENTITY APPROVED BY THE DISTRICT IN ACCORDANCE WITH SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, ACCEPTS RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SYSTEM. THE PERMIT SHALL NOT BE TRANSFERRED TO SUCH APPROVED OPERATION AND MAINTENANCE ENTITY UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE. FOLLOWING INSPECTION AND APPROVAL OF THE PERMITTED SYSTEM BY THE DISTRICT, THE PERMITTEE SHALL INITIATE TRANSFER OF THE PERMIT TO THE APPROVED RESPONSIBLE OPERATING ENTITY IF DIFFERENT FROM THE PERMITTEE. UNTIL THE PERMIT IS TRANSFERRED PURSUANT TO SECTION 40E-1.6107, F.A.C., THE PERMITTEE SHALL BE LIABLE FOR COMPLIANCE WITH THE TERMS OF THE PERMIT.
8. EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE PHASE OR PORTION OF THE SYSTEM TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
9. FOR THOSE SYSTEMS THAT WILL BE OPERATED OR MAINTAINED BY AN ENTITY THAT WILL REQUIRE AN EASEMENT OR DEED RESTRICTION IN ORDER TO ENABLE THAT ENTITY TO OPERATE OR MAINTAIN THE SYSTEM IN CONFORMANCE WITH THIS PERMIT, SUCH EASEMENT OR DEED RESTRICTION MUST BE RECORDED IN THE PUBLIC RECORDS AND SUBMITTED TO THE DISTRICT ALONG WITH ANY OTHER FINAL OPERATION AND MAINTENANCE DOCUMENTS REQUIRED BY SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, PRIOR TO LOT OR UNIT SALES OR PRIOR TO THE COMPLETION OF THE SYSTEM, WHICHEVER OCCURS FIRST. OTHER DOCUMENTS CONCERNING THE ESTABLISHMENT AND AUTHORITY OF THE OPERATING ENTITY MUST BE FILED WITH THE SECRETARY OF STATE WHERE APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY THE COUNTY OR MUNICIPAL ENTITIES, FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENTS WILL RESULT IN THE PERMITTEE REMAINING LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM AND ANY OTHER PERMIT CONDITIONS.
10. SHOULD ANY OTHER REGULATORY AGENCY REQUIRE CHANGES TO THE PERMITTED SYSTEM, THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING OF THE CHANGES PRIOR TO IMPLEMENTATION SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
11. THIS PERMIT DOES NOT ELIMINATE THE NECESSITY TO OBTAIN ANY REQUIRED FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS PRIOR TO THE START OF ANY ACTIVITY APPROVED BY THIS PERMIT. THIS PERMIT DOES NOT CONVEY TO THE PERMITTEE OR CREATE IN THE PERMITTEE ANY PROPERTY RIGHT, OR ANY INTEREST IN REAL PROPERTY, NOR DOES IT AUTHORIZE ANY ENTRANCE UPON OR ACTIVITIES ON PROPERTY WHICH IS NOT OWNED OR CONTROLLED BY THE PERMITTEE, OR CONVEY ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4 OR CHAPTER 40E-40, F.A.C.
12. THE PERMITTEE IS HEREBY ADVISED THAT SECTION 253.77, F.S. STATES THAT A PERSON MAY NOT COMMENCE ANY EXCAVATION, CONSTRUCTION, OR OTHER ACTIVITY INVOLVING THE USE OF SOVEREIGN OR OTHER LANDS OF THE STATE, THE TITLE TO WHICH IS VESTED IN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND WITHOUT OBTAINING THE REQUIRED LEASE, LICENSE, EASEMENT, OR OTHER FORM OF CONSENT AUTHORIZING THE PROPOSED USE. THEREFORE, THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AUTHORIZATIONS FROM THE BOARD OF TRUSTEES PRIOR TO COMMENCING ACTIVITY ON SOVEREIGNTY LANDS OR

OTHER STATE-OWNED LANDS.

13. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C., ALSO KNOWN AS THE "NO NOTICE" RULE.
14. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, ALTERATION, OPERATION, MAINTENANCE, REMOVAL, ABANDONMENT OR USE OF ANY SYSTEM AUTHORIZED BY THE PERMIT.
15. ANY DELINEATION OF THE EXTENT OF A WETLAND OR OTHER SURFACE WATER SUBMITTED AS PART OF THE PERMIT APPLICATION, INCLUDING PLANS OR OTHER SUPPORTING DOCUMENTATION, SHALL NOT BE CONSIDERED BINDING UNLESS A SPECIFIC CONDITION OF THIS PERMIT OR A FORMAL DETERMINATION UNDER SECTION 373.421(2), F.S., PROVIDES OTHERWISE.
16. THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF OWNERSHIP OR CONTROL OF A PERMITTED SYSTEM OR THE REAL PROPERTY ON WHICH THE PERMITTED SYSTEM IS LOCATED. ALL TRANSFERS OF OWNERSHIP OR TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF RULES 40E-1.6105 AND 40E-1.6107, F.A.C. THE PERMITTEE TRANSFERRING THE PERMIT SHALL REMAIN LIABLE FOR CORRECTIVE ACTIONS THAT MAY BE REQUIRED AS A RESULT OF ANY VIOLATIONS PRIOR TO THE SALE, CONVEYANCE OR OTHER TRANSFER OF THE SYSTEM.
17. UPON REASONABLE NOTICE TO THE PERMITTEE, DISTRICT AUTHORIZED STAFF WITH PROPER IDENTIFICATION SHALL HAVE PERMISSION TO ENTER, INSPECT, SAMPLE AND TEST THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
18. IF HISTORICAL OR ARCHAEOLOGICAL ARTIFACTS ARE DISCOVERED AT ANY TIME ON THE PROJECT SITE, THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE APPROPRIATE DISTRICT SERVICE CENTER.
19. THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE DISTRICT IN WRITING OF ANY PREVIOUSLY SUBMITTED INFORMATION THAT IS LATER DISCOVERED TO BE INACCURATE.

SCANNED

40E-4.321 Duration of Permits

(1) Unless revoked or otherwise modified the duration of an environmental resource permit issued under this chapter or Chapter 40E-40, F.A.C. is as follows:

(a) For a conceptual approval, two years from the date of issuance or the date specified as a condition of the permit, unless within that period an application for an individual or standard general permit is filed for any portion of the project. If an application for an environmental resource permit is filed, then the conceptual approval remains valid until final action is taken on the environmental resource permit application. If the application is granted, then the conceptual approval is valid for an additional two years from the date of issuance of the permit. Conceptual approvals which have no individual or standard general environmental resource permit applications filed for a period of two years shall expire automatically at the end of the two year period.

(b) For a conceptual approval filed concurrently with a development of regional impact (DRI) application for development approval (ADA) and a local government comprehensive plan amendment, the duration of the conceptual approval shall be two years from whichever one of the following occurs at the latest date:

1. the effective date of the local government's comprehensive plan amendment.
2. the effective date of the local government development order.
3. the date on which the District issues the conceptual approval, or
4. the latest date of the resolution of any Chapter 120.57, F.A.C., administrative proceeding or other legal appeals.

(c) For an individual or standard general environmental resource permit, five years from the date of issuance or such amount of time as made a condition of the permit.

(d) For a noticed general permit issued pursuant to chapter 40-E-400, F.A.C., five years from the date the notice of intent to use the permit is provided to the District.

(2)(a) Unless prescribed by special permit condition, permits expire automatically according to the timeframes indicated in this rule. If application for extension is made in writing pursuant to subsection (3), the permit shall remain in full force and effect until:

1. the Governing Board takes action on an application for extension of an individual permit,
- or

2. staff takes action on an application for extension of a standard general permit.

(b) Installation of the project outfall structure shall not constitute a vesting of the permit.

(3) The permit extension shall be issued provided that a permittee files a written request with the District showing good cause prior to the expiration of the permit. For the purpose of this rule, good cause shall mean a set of extenuating circumstances outside of the control of the permittee. Requests for extensions, which shall include documentation of the extenuating circumstances and how they have delayed this project, will not be accepted more than 180 days prior to the expiration date.

(4) Substantial modifications to Conceptual Approvals will extend the duration of the Conceptual Approval for two years from the date of issuance of the modification. For the purposes of this section, the term "substantial modification" shall mean a modification which is reasonably expected to lead to substantially different water resource or environmental impacts which require a detailed review.

(5) Substantial modifications to individual or standard general environmental resource permits issued pursuant to a permit application extend the duration of the permit for three years from the date of issuance of the modification. Individual or standard general environmental resource permit modifications do not extend the duration of a conceptual approval.

(6) Permit modifications issued pursuant to subsection 40E-4.331(2)(b), F.A.C. (letter modifications) do not extend the duration of a permit.

(7) Failure to complete construction or alteration of the surface water management system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization in order to continue construction unless a permit extension is granted.

Specific authority 373.044, 373.113 F.S. Law Implemented 373.413, 373.416, 373.419, 373.426 F.S. History—New 9-3-81, Amended 1-31-82, 12-1-82, Formerly 16K-4.07(4), Amended 7-1-86, 4/20/94, Amended 7-1-86, 4/20/94, 10-3-95

OWNER(S) OF LAND	ENTITY TO RECEIVE PERMIT (IF OTHER THAN OWNER)
NAME Corkscrew Mining Ventures, Ltd.	NAME - SAME -
ADDRESS 4099 Tamiami Trail, Suite 305	ADDRESS
CITY, STATE, ZIP Naples, FL 33940	CITY, STATE, ZIP
COMPANY AND TITLE Corkscrew Mining Ventures, Ltd.	COMPANY AND TITLE
TELEPHONE (941) 267-8787 FAX (941) 267-8787	TELEPHONE () FAX ()
AGENT AUTHORIZED TO SECURE PERMIT (IF AN AGENT IS USED)	CONSULTANT (IF DIFFERENT FROM AGENT)
NAME Patrick C. Hunt, VP	NAME Robert W. Case, PE, President
COMPANY AND TITLE Land Investment Services, Inc.	COMPANY AND TITLE Land Investment Services, Inc.
ADDRESS 2040 Clarke Avenue	ADDRESS 2040 Clarke Avenue
CITY, STATE, ZIP Fort Myers, FL 33095	CITY, STATE, ZIP Fort Myers, FL 33095
TELEPHONE (941) 693-9244 FAX (941) 693-9828	TELEPHONE (941) 693-9244 FAX (941) 693-9828

Name of project, including phase if applicable Corkscrew Mining IPD, Phase 1
 Is this application for part of a multi-phase project? ☒ yes ☐ no
 Total applicant-owned area contiguous to the project 602.73 ac
 Total project area for which a permit is sought 602.73 ac
 Impervious area for which a permit is sought 167.52 ac
 What is the total area (metric equivalent for federally funded projects) of work in, on, or over wetlands or other surface waters?
- 0 - acres square feet hectares square meters
 Number of new boat slips proposed. - 0 -

Project location (use additional sheets, if needed)
 County(ies) Lee
 Section(s) 22 & 23 Township 46 Range 27
 Section(s) Township Range
 Land Grant name, if applicable N/A
 Tax Parcel Identification Number 22-46-27-00-00001.0000 etal
 Street address, road, or other location 21751 Corkscrew Road
 City, Zip Code if applicable Estero, FL 33913

APPLICATION NO.

000822 1

